

PLANNING APPLICATION REPORT – Householder Developments

Case Officer: Rachel Head

Parish: Yealmpton

Ward: Newton and Yealmpton

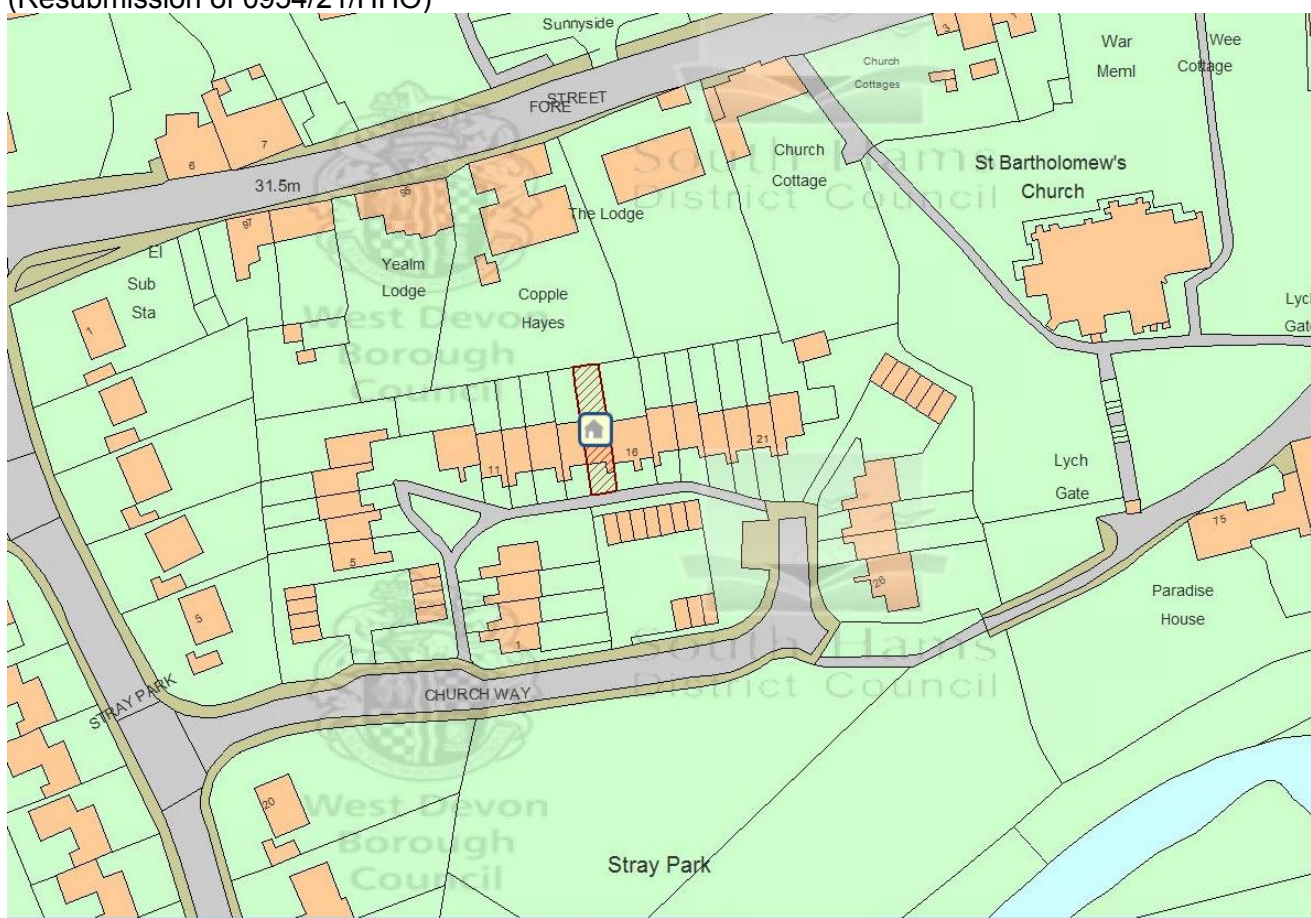
Application No: 2855/21/HHO

Applicant:

Mr Bell and Miss Askem
15 Church Way
Yealmpton
PL8 2LA

Site Address: 15 Church Way, Yealmpton, PL8 2LA

Development: Householder application for formation of room in roof with rear dormer (Resubmission of 0954/21/HHO)



Reason item is being put before Committee: Cllr Thomas wishes to call the application to committee for the following reason:

“The impact of the development on the AONB and neighbouring amenity is a matter of planning judgement and as such I would like the committee to consider what weight should be given to these material planning considerations.”

Recommendation: Refusal

Reasons for refusal:

1. The proposed flat-roofed dormer by reason of its scale, massing and design is considered harmful to the character and appearance of the existing dwelling and the wider local area. It is not considered to be a subservient addition to the property, and results in poor design which does not conserve or enhance the South Devon AONB. It is therefore contrary to policies SPT1, DEV20, DEV23 and DEV25 of The Plymouth and South West Devon Joint Local Plan (2014-2034), paragraphs 13.51- 13.53 of the Supplementary Planning Document (2020) and paragraphs 130, 134, and 176 of the National Planning Policy Framework (2021).
2. The development would have a detrimental impact on the amenity of the neighbouring property, 16 Church Way, due to the overbearing impact of the proposed dormer. As such is contrary to policy DEV1 of the Plymouth and South West Devon Joint Local Plan (2014- 2034) and the guidance of the Supplementary Planning Document (2020).

Key issues for consideration:

Principle of development, design, impact on AONB, neighbour amenity

Site Description:

The property falls within the built form of Yealmpton, on the south side of the village, to the north of the River Yealm. The site is a two storey, mid-terrace property of late 1970s construction. The walls are rendered and it has a tiled pitched roof.

The site is within the South Devon AONB. It falls just outside of the Yealmpton Conservation Area, and there is a grade II listed building 40m to the north of the site.

The Proposal:

The proposed development is for a loft conversion including a flat roof dormer extension to the rear (north) of the property. The dormer comprises the height and width of the roof plane with one 3 pane window to the rear. The proposed materials are concrete tile hung walls to match the existing roof of the property.

The proposal is a resubmission of a previous application 0954/21/HHO; this application was refused due to the design, scale, and massing, as well as the impact on neighbour amenity. The proposed dormer is identical to the scheme previously considered and refused. It has not been reduced in height or width.

Consultations:

- County Highways Authority: No highways implications.
- Yealmpton Parish Council: Object - YPC are in agreement with the planning officer previous decision that the proposals design is detrimental to the local character.

Representations:

Two letters of support from one neighbour has been received and covers the following points:

- Property is set higher up and would not block views or light entering windows.

- No impact on neighbouring property or surrounding area as cannot be seen from road/public area.

Relevant Planning History

- 62/1034/75/3 Erection of 26 no. terraced houses, 26 garages and ancillary works – Conditional Approval: 29 Jan 1976
- 0954/21/HHO Householder application for formation of room in roof with rear dormer – Refusal: 16 Jun 2021

ANALYSIS

Principle of development

The site is located within the built form of Yealmpton and hosts an existing dwelling. The principle of the development is therefore established, subject to all other material planning considerations.

Design/Landscape

It is acknowledged that the existing dwelling is not of any significant architectural merit, however the proposed dormer extension is considered to be an incongruous addition to the existing property. Due to its scale and massing, which spans the whole width and height of the roof, the original pitch of the dwelling would be completely lost by the proposal and as a result, the dormer would become an overly-dominant feature of the property. No other properties on the terrace have dormer extensions to the front or rear, and the development is therefore not considered to be in-keeping with the characteristics of the area.

Appendix A of the Supplementary Planning Document (SPD) provides guidance on the scale and design of dormers:

'The positioning of dormer windows is important. They should not appear squashed towards any of the roof edges, and should be proportionate to the existing windows below.' (13.51)

'Dormer windows are only acceptable on the front roof of a property if this is a feature of nearby properties and if they are sensitively designed and located.' (13.52)

'Dormer windows are generally more appropriate at the rear of a property providing they are located below ridge height and are sympathetically designed. Where the rear of the building is very prominent, such as at the end of some terraces, design criteria will be stricter.' (13.53)

This proposal fails to comply with this guidance and policies DEV20 and DEV23 of the Joint Local Plan, which require development to have proper regard to the pattern of local development in terms of *'style, local distinctiveness, visual impact, massing, height, and landscape character'*, amongst other things (DEV20.2). Policy DEV23 also emphasises the need to *'maintain an area's distinctive sense of place, and reinforce local distinctiveness'* (DEV23.1)

The site falls within the South Devon AONB. Policy DEV25 requires that proposals *"conserve and enhance the natural beauty of the protected landscape with particular reference to their special qualities and distinctive characteristics or valued attributes"*. The proposed extension would utilise vernacular materials in-keeping with the locality however the scale, mass and design of the dormer extension would be a dominant feature on the existing property and is therefore could not be considered to conserve and enhance the special qualities of the AONB. The proposal fails to comply with local plan policy DEV25.

The Parish Council object to the proposal, stating their agreement with the previous decision (0954/21/HHO) and noting that the design is detrimental to the local character.

No concerns have been raised in respect of the proposed materials/finishes.

The proposal affects the setting of the Yealmpton Conservation Area and setting of nearby Listed Buildings. However, due to the topography of the site and trees that would screen the proposed development, it is not considered that the extension would have an adverse impact on the Yealmpton Conservation Area or the setting of the nearby Listed Buildings.

Neighbour Amenity

The proposal is not considered to have a significant overlooking or loss of privacy impact on the amenity of the neighbouring properties. Due to the topography of the site which is lower than the properties to the rear, off Fore Street, and the distance between them (approximately 33m) it is not considered that the proposal will have a significant detrimental impact on the neighbouring properties to the rear of the site.

Two letters of support from the neighbouring property (No.14) have been received who express no objections to the proposal and state it will not impact on their property.

Despite this, due to the mass and scale of the dormer extension, Officers considered that the proposal does have the potential to have an overbearing impact on the neighbouring properties, in particular number No. 16 which is a single storey property, the proposed is therefore considered contrary to local plan policy DEV1.

Ecology

The Ecological Appraisal provided within the submission of the application states there is no evidence of use by bats within the building. However, the report sets out precautionary measures to avoid any harm during building works, and in accordance with the NPPF, the report also provides for biodiversity gain in the form of a bat box on the site. As such, subject to condition, the proposal is considered to accord with local plan policy DEV26.

Highways/Access

The proposal would not impact upon the existing highways arrangement.

Conclusion

The proposal is considered to be of a scale, massing and design that is out of keeping with the simple, traditional form of the existing dwelling and terrace and fails to preserve and enhance the South Devon AONB. It has the potential to be overbearing to neighbouring properties, and therefore conflicts with policies SPT1, DEV1, DEV20, DEV23, DEV25 of the JLP, and associated paragraphs of the NPPF. The application is therefore recommended for refusal.

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

Relevant policy framework

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. For the purposes of decision

making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT11 Strategic approach to the Historic environment
SPT12 Strategic approach to the natural environment
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV31 Waste management
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

Neighbourhood Plan

The development site is not located within an area covered by a Neighbourhood Plan.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application:

Plymouth and South West Devon JLP Supplementary Planning Document (2020)

South Devon AONB Management Plan (2019-2024)

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.