

## PLANNING APPLICATION REPORT – Householder Developments

**Case Officer:** Liz Payne

**Parish:** Salcombe **Ward:** Salcombe and Thurlstone

**Application No:** 0161/23/HHO

**Agent:**

Mr Joe Owen - Derry Owen Architects  
Derry Owen Architects  
Unit 5 Homelands  
Higher Union Road, Kingsbridge  
TQ7 1EQ

**Applicant:**

Carmen Redondo  
Vermilion  
Herbert Road  
Salcombe  
TQ8 8HN

**Site Address:** Vermilion, Herbert Road, Salcombe, TQ8 8HN



**Development:** Householder application for extension & alterations to include replacement garage, single storey rear extension & habitable accommodation at second floor level with new roof structure (Resubmission of 2475/22/HHO)

**Reason item is before Committee:** Cllr Pearce and Cllr Long have referred the application to committee for the following reason:

- Poor design and impact on street scene;
- Neighbour amenity;
- Delivery of renewable technology in light of Climate Emergency.

**Recommendation:** Conditional Approval

**Conditions:**

Standard time limit  
Adherence to plans  
Adherence to ecological mitigation  
Development to be outside of nesting season  
Air Source Heat Pump details  
Drainage  
Extension not be used as a terrace  
No external lighting

**Key considerations:** Design, AONB, Neighbour Amenity, Ecology, Parking provision.

---

**Site description:**

The site currently hosts a detached two storey dwelling with gardens to the front and rear. The property has a unique Dutch barn style roof and the clay tiles cover the external walls of the first floor; the lower walls are rendered and a gable projection over the porch includes a section of timber cladding.

The property faces north onto Herbert Road which hosts a mix of house styles and materials. Herbert Road slopes steeply downhill from west to east. While Vermilion follows an approximate building line with the neighbours to the west, it is set forward of properties to the east. As such, the east elevation of the property is clearly visible from the street scene. To the south, the property has a good sized garden which falls downhill towards the south and is bounded by a thick layer of shrubs and trees. Views to the south look towards the first floor of neighbouring properties along Devon Road and the open countryside on the far side of Salcombe Harbour. To the west the neighbour 'Breton' is set on slightly higher ground and the gardens are separated by a tall conifer hedge.

The site is located within the South Devon Area of Outstanding Natural Beauty.

**Proposal:**

The application proposes to enlarge the size of the first floor and provide living accommodation within the roof space by a hip to gable extension, raising the ridge height of the roof and the provision of dormer windows to the rear. The front gable projection would be replaced with a similar sized gable projection. The application also proposes a flat-roofed single storey rear extension and single storey side extension and replacement garage, the existing garage being demolished. The property as extended/remodelled would be externally finished with painted render and natural slate.

The current application proposes a revised scheme following the refusal of an earlier application (2475/22/HHO).

Revised plans have been submitted during the life of the application and this report considers drawing number 2648.02 rev. B.

**Consultations:**

- County Highways Authority: no highways implications

- Salcombe Town Council: object, see comments
- DCC Ecologist: ok, subject to conditions

## **PUBLIC CONSULTATIONS**

### **Representations:**

#### **Representations from Residents**

5 letters of representations have been received and cover the following points:

- Object to this application;
- Welcome change to natural slate roof;
- Garage roof is unnecessarily high;
- Garage adjoins house and creates a terracing effect;
- Dimensions of the garage mean it could be easily converted into living accommodation;
- Increase in roof height would significantly affect the skyline and be oppressive for the street scene;
- Extension is too large;
- Large window in gable is unneighbourly and will enable looking down into surrounding properties;
- Gable window is closer to Whinfield and will look down onto roof light of main bedroom;
- Concerns that the plans are not accurate – no dimensions and chimneys do not appear correct;
- Raising of roof height will mean the property will appear as the same height as the neighbour uphill;
- Garage is hard against boundary wall with Whinfield and would be overbearing and block light to the entrance hall and passage way, ground floor bathroom and office;
- The garage wall would be unmaintainable as built on boundary and within 1m of neighbour;
- Will result in a 3 storey structure in an environment of 2 storey structures and increased mass is emphasised by hip to gable roof extension;
- Large east facing gable window is closer to Whinfield and looks down;
- Contrary to SALC B1 and SALC Env1.

#### **Representations from Statutory Consultees**

**Salcombe Town Council** made the following comments:

*The east facing gable window is too large and will overlook the neighbouring property Whinfield – if approved there needs to be a condition that the flat roof remains as such and is not to be used as a terrace.*

#### **Relevant Planning History**

2475/22/HHO – 09 November 2022 – refuse

Householder application for extension & alterations to include replacement of integral garage, single storey rear extension with part balcony over, habitable accommodation at second floor level with new roof structure. The application was refused for two reasons: 1/ that the development, by reason of its design and materials, did not have adequate regard to the neighbouring properties or wider surroundings; and, 2/ that the proposed single storey extension and rear dormer windows, by reason of design, scale and proximity to the boundary would cause an unacceptable impact on the residential amenities of the neighbouring properties.

## ANALYSIS

### 1. Principle of Development/ Sustainability

1.1. The site is a residential property within the built up area of Salcombe and the principle of alterations and extensions is therefore acceptable.

### 2. Design, scale and massing

2.1. Policy DEV20 of the Joint Local Plan (JLP) requires development to meet good standards of design. Proposals must have proper regard to the pattern of local development and wider surroundings in terms of (amongst other things), style, local distinctiveness, scale, materials, historic value, and character. DEV23 requires development to conserve and enhance the townscape by maintaining a local area's distinctive sense of place and reinforcing local distinctiveness. Policy SALC B1 of the Salcombe Neighbourhood Plan requires development to respond to and integrate with the local built surroundings and use high quality materials that complement the traditional palette of materials. Contemporary design solutions will be supported providing it respects the context and setting.

2.2. There is a mix of house types and styles used along Herbert Road and within the neighbouring streets, although they all have a pitched roof design and many incorporate a gable feature to the front. The majority are of two storey design although there are some larger three storey properties, particularly those that are responding to a change in ground level and often these have second floor windows within the apex of a gable elevation.

2.3. The proposed alterations to the existing dwelling would result in the increase in height and mass of the first floor and roof and a number of letters of representations have raised concern in regards to this and the creation of living accommodation in the roof. In itself officers do not consider that this increase would result in a scale of development that would dominate or be out of keeping with the street scene.

2.4. Letters of representation have suggested that the garage extension would be too high and would create a terracing effect as it is attached to the host dwelling. The chosen parapet design of the roof creates a higher roof height but would result in a clean and uncluttered finish. The finished height would be comparable with the first floor levels of the host dwelling and is considered acceptable. The garage would be attached to the host dwelling and adjoin the boundary wall. However, the single storey scale of the garage, the topography of the site and the lower ridge height of the neighbour's outbuilding would prevent a terracing effect between neighbouring properties. It is also noted that the guidance on terracing effects set out in the SPD at paragraphs 13.40 onwards guides against two-storey extensions on/close to flank boundaries, not single storey extensions as in this case.

2.5. Other letters have suggested the ground floor extension is too large. The extension would be single storey and subservient to the host dwelling. It would result in a footprint comparable with the neighbouring property and would sit comfortably within the plot.

2.6. The proposed development would utilise external materials common to the immediate area and would incorporate a pitched roof design with a smaller, subservient flat roof extension to the side and rear in keeping with the street scene. The dormer windows are proportionate to the roof plane and are sited on the rear elevation. For the above

reasons the proposal is considered to have a neutral impact on the street scene and complies with the provisions of policies DEV20, DEV23 and DEV25 of the JLP and policies SALC B1 and SALC ENV1 of the Salcombe Neighbourhood Plan.

### 3. Impact on the AONB

3.1. 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”. With consideration to the context of the site, that being within a built up area, and the level of fenestration generally within the surrounding area, it is not considered that the level of fenestration would result in unacceptable levels of light pollution. The proposal meets the first policy test, in that the design and palette of materials have a neutral impact on the AONB itself, as the proposal is located well within the built form of Salcombe and changes to character and appearance of the residential area will be localised only, thereby conserving the natural beauty of the AONB. While the proposal does not offer enhancement, given the small scale of the proposal and having regard to the current condition of the site, including the presence of an existing residential dwelling, the proposal is considered to comply with the requirements of policy DEV25.

### 4. Neighbour Amenity

4.1. Joint Local Plan (JLP) policy DEV1 Protecting health and amenity seeks to safeguard health and amenity of local communities. The first requirement for development is to ensure that it provides for satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for both new and existing residents. The JLP SPD provides further guidance on how development can be designed to protect privacy, outlook and daylight.

4.2. Letters of representation have raised concern that the proposed window within the apex of the gable on the east elevation would provide opportunity to look into a roof light of Whinfield. The SPD advises that a distance of 21m should be maintained between windows of habitable rooms which directly look into each other. In this case there would be a distance of approximately 10m between the windows. However, the windows would not directly face each other given the angle of the roof light and in addition, some overlooking already occurs from the existing windows within the east elevation of Vermilion. Moreover, during the life of the application the gable window has been reduced in size so that the opportunity to look out over the neighbouring roof light is reduced. Given the presence of windows in the existing roof space of Vermilion, officers consider that the proposed window would not be materially harmful to the residential amenities of neighbouring occupiers.

4.3. The existing garage is sited close to the side boundary with Whinfield, and the proposed replacement garage would be similarly sited. The replacement garage would also follow the broad siting of the existing garage, extending back some 5m approx. from the front wall of the dwelling. Whilst the flat roof of the replacement garage would be higher than the eaves height of the existing garage, it is not considered the relationship would have a materially harmful impact upon the occupiers of Whinfield, having regard to the extent of change, the location of the garage to the side of Whinfield and the fact that part of it would be concealed by an existing outbuilding (art gallery) to Whinfield. Accordingly, it is concluded that the garage would not harmfully impact upon the residential amenities of Whinfield's occupiers.

4.4. The proposed scheme incorporates an Air Source Heat Pump. As details of the noise levels of the ASHP have not been submitted the decision will be conditioned so that further details are submitted and agreed by the Local Planning Authority prior to installation.

4.5. The proposal thus accords with DEV1 'Protecting health and amenity' and the Joint Local Plan Supplementary Planning Document.

## 5. Ecology

5.1. The submitted ecological survey indicated that the dwelling is used as a day roost by low numbers of common pipistrelle. The works would be subject to obtaining a European Protected Species (EPS) licence and would qualify under a bat low impact class license (BLICL). The authority must consider whether Natural England are likely to grant an EPS licence which would permit the proposal to lawfully proceed. For home improvements and small scale housing developments, Natural England do not request a reasoned statement showing compliance with the first two tests of derogation. The DCC Ecologist has recommended that the mitigation measures included in the submitted ecology report satisfy the third test and it is therefore considered likely that an EPS licence would be granted. The proposed mitigation within the submitted Bat Emergence/Activity Surveys Mitigation & Compensation Measures report is capable of being secured by condition to ensure the proposal is acceptable and complies with the requirements of JLP Policy DEV26.

## 6. Parking

6.1. The development proposes to replace the existing garage with a larger garage attached to the house. The proposed garage does not meet the SPD parking dimensions in regards to length as set out in the SPD, but Officers would not wish to encourage a larger garage due to the potential impact on neighbour amenity or design. The proposed garage would be large enough for a car to enter and park, meeting the requirements for a standard parking space and the width of the garage would allow room to exit and walk round the car and provide space for EV charge points. As the existing garage does not meet current parking standards, the proposed garage is considered to have a neutral impact on parking provision. Two parking spaces are also retained on the driveway as part of the proposed scheme. As such the development is in accordance with DEV29.

## 7. Climate Emergency Considerations

7.1. The Climate Emergency Planning Statement responds directly to the Climate Emergency declarations issued by South Hams and West Devon Councils and identifies measures for new development to meet the challenge of climate change. It builds on existing planning policies set out within the Plymouth and South West Devon Joint Local Plan and its supplementary planning document, embraces new standards and proposes new requirements.

7.2. The submitted plans show the scheme would incorporate a minimum of 1kw solar panels and an Electric Vehicle Charging point. In addition, the siting of an Air Source Heat Pump is also proposed. As such, the details as submitted meet the required measures as set out in the Climate Emergency Planning Statement.

## 8. Summary

8.1. The proposal is considered to be of an acceptable design and scale for the site and will not result in a harmful impact on the visual amenities of the area or harmfully

impact upon the AONB. It is further considered that the proposal would not result in material harm in terms of overlooking or have an overbearing impact upon neighbours. Given the size of the existing garage the proposal is considered to have a neutral impact on parking provision for the site. The proposal is considered to overcome the reasons for the refusal of the earlier application, ref. 2475/22/HHO.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004***

## **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  
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  
DEV23 Landscape character  
DEV25 Nationally protected landscapes  
DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV29 Specific provisions relating to transport  
DEV32 Delivering low carbon development  
DEV35 Managing flood risk and Water Quality Impacts

### **Neighbourhood Plan**

Following a successful referendum, the Salcombe Neighbourhood Plan was adopted at Executive Committee on 19 September 2019. It now forms part of the Development Plan for South Hams District and should be used in deciding planning applications within the Salcombe Neighbourhood Area. Relevant policies include:

Policy SALC Env1 Impact on the South Devon Area of Outstanding Natural Beauty (AONB);  
Policy SALC B1 Design Quality and safeguarding Heritage Assets.

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:

**South Devon AONB Management Plan (2019-2024)  
Plymouth and South West Devon Joint Local Plan Supplementary Planning Document 2020;  
Plymouth and South West Devon Climate Emergency Planning Statement (2022).**

**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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing numbers: 2648.SLP and 2648\_03\_Rev. A received by the Local Planning Authority on 26 January 2023 and 2648.SBP\_rev.A and 2648\_03\_rev.A received by the Local Planning Authority on 16 March 2023.

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. The development hereby approved shall be carried out in accordance with the submitted Protected Species Survey (from Green Lane Ecology dated August 2022). Upon completion of works, written confirmation by the consultant ecologist that features for bats have been correctly installed shall be submitted to the Local Planning Authority.

Reason: To safeguard the welfare of a protected species of wildlife

4. All vegetation clearance works and enabling/demolition works to the building should be undertaken outside the bird nesting season (March to August inclusive). Where this is not possible the site should be inspected by an ecologist prior to works commencing to confirm the presence/absence of nesting birds. Where the presence of nesting birds is confirmed, the ecologist must provide advice to the contractor which will ensure an offence under the Wildlife and Countryside Act 1981 as amended is not committed. A record of all site visits and advice to contractors must be kept to be provided to the LPA on request.

Reason: In the interests of the protected of protected habitats and species.

5. Prior to their installation, details of the air source heat pumps including levels of sound emissions shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbour amenity.

6. The drainage scheme shall be installed in strict accordance with the approved plans, maintained and retained in accordance with the agreed details for the life of the development.



Reason: To ensure surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development.

7. The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further permission from the local planning authority.

Reason: To safeguard the amenity of the locality and the privacy of neighbouring properties.

8. No external lighting shall be installed on the site unless details of such lighting, including design, location, the intensity of illumination, have first been submitted to and approved in writing by the Local Planning Authority. Any external lighting shall accord with the details so approved.

Reason: In the interests of the protection of protected habitats and species.