

PLANNING APPLICATION REPORT

Case Officer: Amy Hallett
Thurlestone

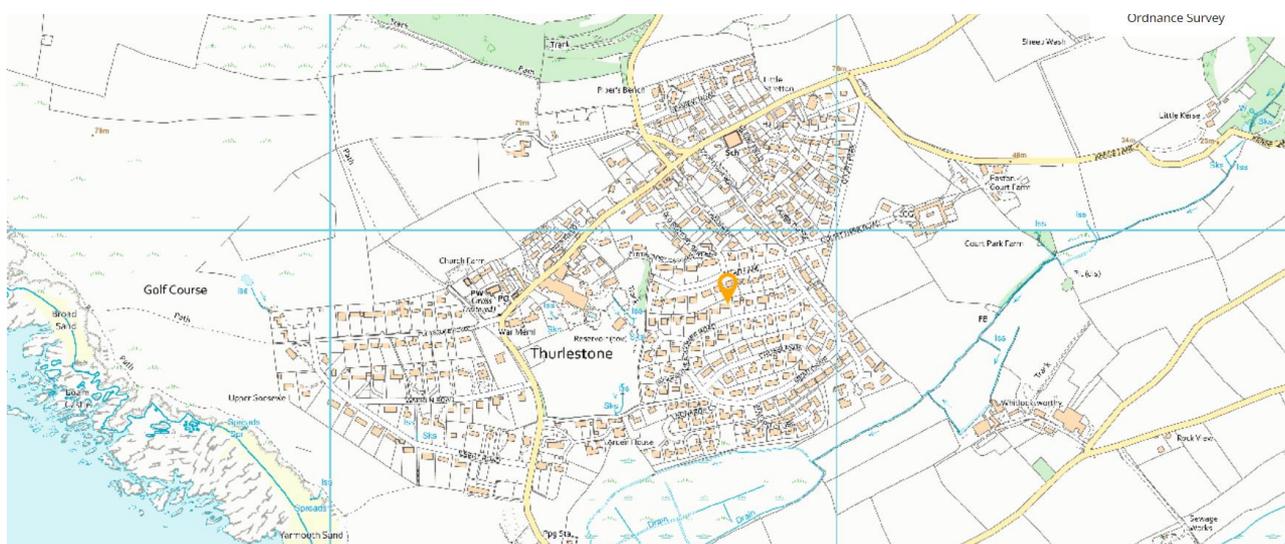
Parish: Thurlestone **Ward:** Salcombe and Thurlestone

Application No: 2227/23/HHO

Agent/Applicant:
Miss Tsai Wharton
16 Meadcombe Road
Thurlestone
Kingsbridge
TQ7 3TB

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Site Address: 16 Meadcombe Road, Thurlestone, TQ7 3TB



Development: Householder application for removal of part first floor balcony & replace with proposed first floor master bedroom extension & reinstate existing integral garage (resubmission of 1608/23/HHO)

Reason item is being put before Committee

Cllr Mark Long has called this to committee for the following reason:

1. I would wish this application to be reviewed by the Development Management Committee due to the objection of the Parish Council, and others, to consider the questions over TNP policy and Neighbour amenity.

Recommendation: Conditional Approval

1. Standard time limit
2. Adherence to plans
3. Materials to match existing
4. Adherence to ecological mitigation
5. EV charger to be installed prior to usage of garage
6. Privacy screens to balcony to be erected prior to use

7. No additional windows to west elevation
8. Soft landscaping to north and west boundaries to be retained
9. Flat roof not to be used as an outdoor amenity space
10. Garage to be retained for storage of motor vehicles

HAVE ANY PRE-COMMENCEMENT CONDITIONS BEEN AGREED?

No.

Key issues for consideration:

Principle of Development
Design/Landscape
Neighbour Amenity

Site Description:

16 Meadcombe Road is a two-storey detached dwelling located within The Mead, in the village of Thurlestone. The site has a large curtilage to the front, accessed by a driveway up from the highway, with a smaller, more enclosed amenity area to the rear. At first floor, there is a balcony to the principal elevation, which starts at the centre of the property and runs along to the west, wrapping around the corner and down the side of the dwelling. The side element of this balcony is significantly larger and wider than the front part, and the whole area has a frosted glass privacy screen around it. There are hedges and fences to both sides of the boundary, providing privacy at ground level to the site and its neighbours, no.18 Meadcombe Road (to the west) and no.14 (to the east).

The site is within the Thurlestone Development Boundary, as well as the South Devon Area of Outstanding Natural Beauty.

The Proposal:

The proposal seeks to re-establish the integral double garage and remove the first floor balcony and replace with an extension to create additional living accommodation. The proposal also has provision for an EV charger point and PV panels.

Consultations:

- County Highways Authority – no highway implication
- Parish Council – object

Thurlestone Parish Council OBJECT to this application.

“Councillors wish to confirm that the PC upholds its previous OBJECTIONS to this application which remain valid. With no perceivable difference between this and the previous submission of 19th May 2023 councillors concluded this is in essence the same application. As previously the first floor side extensions considered to be an intrusive addition and to have an overbearing and dominant impact on neighbouring properties because of its height, depth and position close to the boundary (contrary to NP Policy TP1.1 Residential Amenity). Although not the full width of the ground floor extension this proposed extension also extends to the back boundary of the plot creating an ‘L’ shaped building, which would result in a

serious and adverse effect on neighbouring amenity to the adjoining neighbouring properties at 18 Meadcombe Road to the west, and 13 Mead Lane to the north. This proposal would also result in overcrowding of the plot and an unacceptable closeness to neighbours on both sides which is contrary to the level of amenity generally accepted within The Mead. Three previous applications to develop this part of the dwelling have been made and Refused, both by South Hams Planning Dept and on Appeal.

This proposal is contrary to Thurlestone Neighbourhood Plan policy TP1.1. It was noted that when The Mead was developed limitations were set on numbers of houses per acre in order to prevent the potential of one property overbearing its neighbours as would be the result of this proposal.”

PUBLIC CONSULTATIONS

Representations:

Representations from Residents

Eight letters of representation have received and cover the following points:

Object:

- Prevention of light reaching rear garden;
- Stop access to neighbouring garden;
- Proposal conflicts with original developer’s model;
- Contravenes DP3, TP7.2(i) and TP1.1 of the Neighbourhood Plan;
- Overbearing and dominant;
- Loss of Amenity;
- Set a precedent of infill extensions.

Support:

- Will not impact neighbour views from their current position;
- Property is well concealed with bushes, trees and frosted glass around the deck;
- Maintaining and improving the properties enhances the area;
- Neighbours will only see the rooftop;
- Proposal is set away from neighbour boundaries;
- Good use of space;
- Use of privacy glass;
- Many more extensive and disruptive extensions on the surrounding houses over the years.

Relevant Planning History

1608/23/HHO – withdrawn 27/06/2023

Householder application for removal of first-floor balcony & replace with first-floor extension.
Reinstate existing integral garage

2011/18/HHO – conditional approval 08/08/2018

Householder application for balcony rigging wire

2498/16/HHO – refusal 27/10/2016

Householder application for first floor extension (resubmission of 55/2207/15/F)

2148/16/PRH – pre application (officer support) 28/07/2016

Pre application enquiry for first floor extension

55/2207/15/F – refusal 15/12/2015
Householder application for first floor extension

55/0557/14/DIS – discharge of condition approved
Application for approval of details reserved by conditions 4 and 5 of planning approval

55/1836/13/F – conditional approval 05/12/2013
Resubmission of 55/0436/13/F for demolition of garage, creation of extension, extension of balcony, installation of sliding folding doors, creation of roof terrace and general refurbishment of dwelling

55/1680/13/PREHH – partial support 22/07/2013
Pre-application enquiry for demolition of existing garage and erection of new extension

55/0436/13/F – refusal 09/04/2013
Householder application for demolition of existing garage structure. Creation of an extension adjoined to the house on a smaller footprint. Extension of existing balcony. Installation of sliding folding doors. Creation of roof terrace. Internal alterations and refurbishment

ANALYSIS

1.0 Principle of Development

1.1 The site is located within the built form of Thurlestone and therefore for the purposes of assessing the principle of the extension, it is determined that the site is within tier 4 of the settlement hierarchy as defined in policy TTV1 of the Joint Local Plan (JLP) and would therefore fall into the category of 'Smaller Villages, Hamlets, and the Countryside'. Policy TP1 of the Neighbourhood Plan supports the principle of development within the parish providing it meets the criteria set out within the policy (residential amenity, design, infrastructure, dark skies, natural environment, historic environment and traffic & transport) as well as the requirements of other relevant policies.

2.0 Design/Landscape

2.1 The existing property originally had an integral double garage. This was converted to a habitable space following consent being granted in 2013, and comprises two bedrooms and a bathroom on the ground floor and a terrace on the first floor level. This application seeks to re-establish the integral garage, with the addition of a two storey extension, which will accommodate a store and also allow for a larger master suite. The enclosure of the first floor terrace will create a master suite with a balcony that joins the existing first floor balcony on the south (front) elevation. Although, the first floor extension does not extend the width of the integral garage. The reintroduction of the integral garage is viewed by Officers as betterment and to ensure that this remains as a garage/storage space, it is necessary to restrict converting the garage back to a habitable space by removing the Permitted Development Rights for this. There is also provision for PV panels to part of the south elevation and an EV charger point in the garage.

- 2.2 The design introduces a hipped end to the extension, rather than the simple up and over roof form currently on the dwelling. However this addition is deemed acceptable from a design perspective.
- 2.3 The whole of the development lies within the South Devon Area of Outstanding Natural Beauty (AONB) but given the scale of the proposal and the residential character of the area, the principle of reinstating the integral garage and creating a first floor extension within the built form of Thurlestone is acceptable. It is considered that the proposal to reinstate the integral garage and add a first floor extension would not adversely impact the character and appearance of the South Devon AONB and existing streetscene, due to the existing design of neighbouring dwellings. The application complies with policies DEV20, DEV23, DEV25 and DEV32 of the JLP, as well as TP1 and TP7 of the Neighbourhood Plan.

3.0 Neighbour Amenity

- 3.1 The property has extensive planning history, with a common thread of neighbour amenity being an area of discussion.
- 3.2 The current roof terrae was approved in 2013 (55/1836/13/F) and assessed any potential impact on neighbour amenity for no.18 Meadcombe Road. The approved first floor roof terrace is positioned 2m from the edge of the ground floor garage conversion, and a total of 3.2m from the boundary with no.18. This new application will be located 3.195m from the boundary and materially will appear to have the same proximity when viewed from both the public and private realm. Although a first floor extension does have a larger built form than a roof terrace.
- 3.3 The extension proposed has a lower ridge height which ensures that the extension reads as subservient to the host dwelling and negates any potential overbearing on the neighbouring properties, particularly no.18 Meadcombe Road. To ensure that neighbour amenity is preserved for the lifetime of the development, it is necessary for conditions to include no addition windows to the west elevations, the glazing to the balcony to be obscure, and for the flat roof elements to be prevented from being used as a balcony.
- 3.4 The property also benefits from significant soft landscaping to the west and north boundaries, which the applicant advises me are within their ownership. The soft landscaping forms an important part of both the street scene and protecting neighbour amenity. Therefore, a landscaping condition will be applied to confirm the level of landscaping in situ and that this is to be retained and replaced with like for like species.
- 3.5 In the planning balance, the proposed scheme has a lesser impact on neighbour amenity than the application from 2016, this coupled with the mature soft landscaping and proposed conditions, leads Officers to conclude that the proposal complies with DEV1 of the JLP.

4.0 Comparison of scheme with previous scheme (2498/16/HHO)

- 4.1 As aforementioned, the application site has an extensive planning history and it is necessary to compare the most recently refused application (2498/16/HHO) with the application being reviewed here.
- 4.2 The 2016 application has similarities with the current application, in terms of the first floor extension. The 2016 scheme provided a gap of 2.8m (image one) between no.16 and the boundary with no.18 Meadcombe Road. The revised proposal has increased this further to 3.2m. (image two).

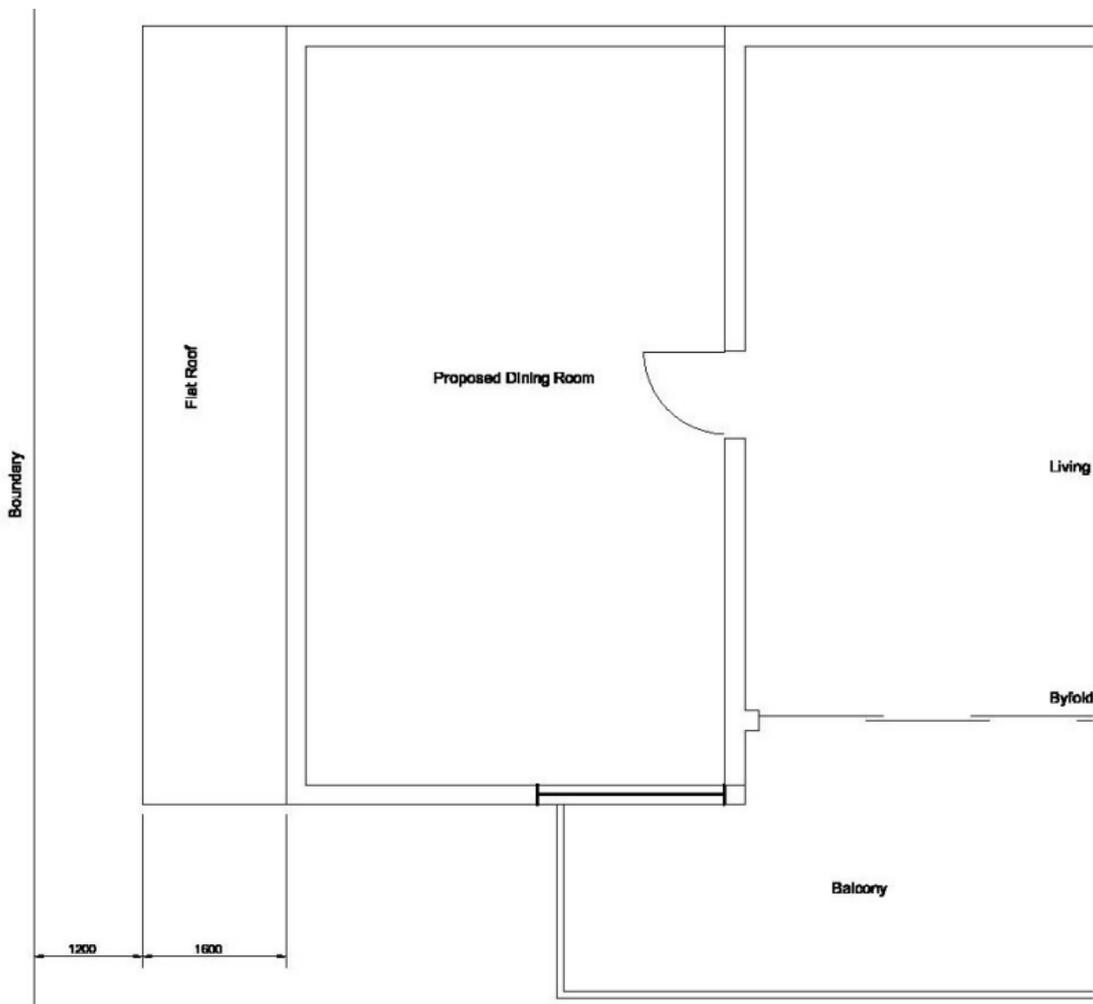
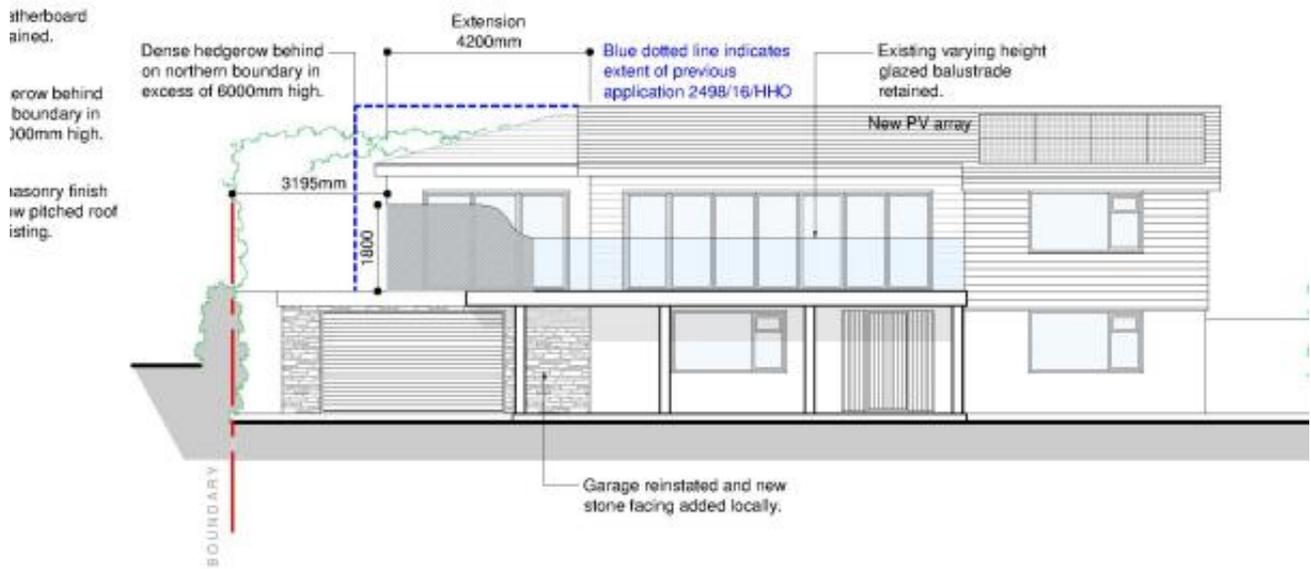


Image one: boundary gap between proposed extension and no.18



**South Elevation - As Proposed
Showing Historic Application
(1:100)**

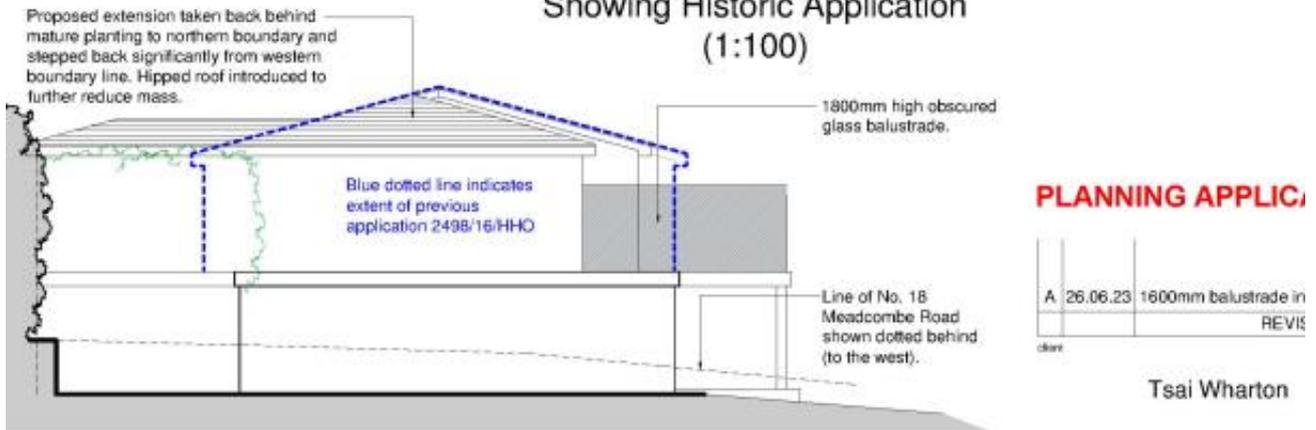


Image two: 2498/16/HHO scheme overlaid with current proposal

- 4.3 The roof structure has also been designed differently to have a less bulky appearance, thus reducing any potential overbearing impact on no.18. The new roof design is for a hipped rather than an up and over (image three). This change further mitigates concerns of the extension being overbearing. The extension is also set back from the building line of no.16, further securing the primacy of the host dwelling and ensuring that the extension is subservient and reads within the streetscene as an extension.

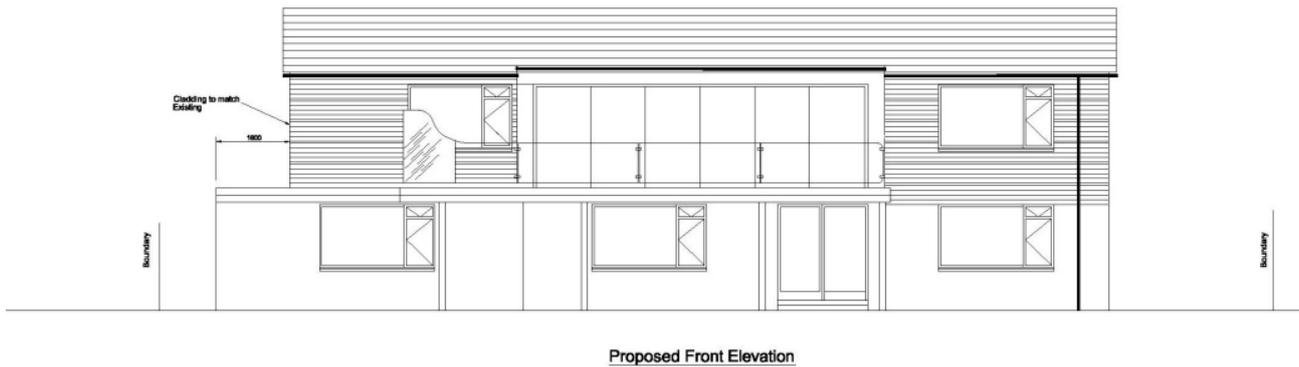


Image three: 2498/16/HHO front elevation

- 4.4 Image four helpfully demonstrates that due to the layout of the streetscene, the side of no.18, terminates where the extension begins which significantly reduces any concerns of loss of light to the first floor gable window.



Image four: application site and proximity to the gable of no.18 Meadcombe Road

- 4.5 The Planning Inspector for the appeal lodged in 2016, concludes that “most of their private amenity space is located to the front of the dwellings” when reviewing no.16 and no.18 Meadcombe Road. This, alongside the conditions to retain the landscaping to the north and west elevations, removal of PD Rights to insert windows to the west elevation and a restrictive condition precluding the use of the flat roof as an outdoor

amenity space, combine to preserve the amenity of no.18 to a point which neutralises impacts on the neighbour and therefore makes the application suitable in policy terms.

5.0 Conclusion

5.1 In conclusion, the proposal is considered compliant with policies DEV1, DEV20, DEV23, DEV25 and DEV32 within the Joint Local Plan and the guidance within the Supplementary Planning Document, and policies TP1 and TP7 of the Thurlestone Neighbourhood Plan. For the reasons stated above, the proposal is recommended for approval, subject to the following 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 number(s)
 - Proposed Plans and Elevations 2023.02 A
 - Site Location Plan
 - Block Plan SBP

Received by the Local Planning Authority on 27.06.2023

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building, unless amendments have been agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity to comply with DEV20 of the JLP.

4. The recommendations, mitigation and enhancement measures of the Ecological Report, by Butler Ecology on 18.05.2023, shall be fully implemented prior to the commencement of the use hereby approved and adhered to at all times. In the event that it is not possible to do so all work shall immediately cease and not recommence until such time as an alternative strategy has been agreed in writing with the local planning authority.

Reason: To safeguard the interests of protected species in accordance with DEV26 of the JLP.

5. The EV charging point as shown on the approved plans shall be installed prior to the occupation of the garage hereby approved, and hereafter be retained and maintained for the life of the development.

Reason: To ensure that the development contributes to the carbon reduction aims of DEV32 of the Joint Local Plan.

6. Notwithstanding the information shown on the approved drawings, the 1.8m high obscure privacy screen to the balcony shall be installed in accordance with the details shown on the approved drawings (2023.02 Rev A), prior to the first use and thereafter be retained and maintained for the life of the development.

Reason: to protect neighbour amenity and adhere with DEV1 of the JLP.

7. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (or any Order revoking and re-enacting this Order) there shall be no additional windows to the west elevation of the extension hereby permitted without the prior permission in writing of the Local Planning Authority.

Reason: To protect neighbour amenity and comply with DEV1 of the JLP.

8. The soft landscaping to the north and west boundaries is to be properly maintained and retained to a height of at least 6m, as shown on the approved drawings (2023.02 Rev A) unless otherwise agreed in writing by the Local Planning Authority.

Reason: to preserve neighbour amenity in accordance with DEV1 of the JLP.

9. The flat roof area on the west elevation (labelled as flat roof on the first floor plan, drawing no. 2023.02 Rev A) shall not be used as a balcony, roof garden or similar amenity area at any time.

Reason: In order to safeguard the residential amenity and privacy of adjoining occupiers as per DEV1 of the JLP.

10. The garage shall be kept permanently available for the parking of motor vehicles, and shall not be used for habitable accommodation at any time.

Reason: In the interest of visual amenity and carbon reduction targets, as per DEV20 and DEV32 of the JLP.

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

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
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
DEV32 Delivering low carbon development

Neighbourhood Plan

Thurlestone Neighbourhood Plan (2018)

Policy TP1 – general development principles
Policy TP7 – replacement dwellings and extensions

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 Supplementary Planning Document (2020)

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.

Chairman of Planning Committee - Cllr Mark Long

Date cleared –

Comments made -