

Reasons application is being presented to committee: At the request of Cllr Dennis.

I would like to call this in to for consideration by the Development Management Committee.

I am seeking their views on the design, height and scale of the extension and whether it is contrary to policies DEV20.2, DEV20.4, DEV23.1 and DEV23.3 of the Plymouth & South West Devon Joint Local Plan (2014- 2034) and policy SH HBE3 of the South Huish Neighbourhood Plan (2019- 2034).

I would also ask them to consider the extent to which the glazing proposed would impact on the dark night skies and whether conditions could be put in place to negate this impact.

Recommendation: Refusal

Reasons for Refusal:

1. By virtue of its design, height and scale, the proposed extension is considered an incongruous and overbearing addition to the existing dwelling with discordant fenestration, an ambiguous material finish and a height and roof pitch which give the perception of a two-storey extension, eroding the primacy of the host dwelling. As such the development conflicts with policies DEV20.2, DEV20.4, DEV23.1 and DEV23.3 of the Plymouth & South West Devon Joint Local Plan (2014- 2034); policy SH HBE3 of the South Huish Neighbourhood Plan (2019- 2034), paragraphs 13.11 and 13.37 of the Joint Local Plan Supplementary Planning Document (adopted 2020) and paragraphs 135 and 139 of the National Planning Policy Framework (December 2023).
2. The development fails to conserve or enhance the character and scenic quality of the protected landscape, impacting on the intrinsically dark night skies due to the degree of glazing proposed in the north, south and west roofs and elevations. The proposal therefore does not comply with DEV2.4, DEV23.4, DEV23.5, DEV25.2, DEV25.6, and DEV25.8 of the Plymouth & South West Devon Joint Local Plan (2014- 2034), policies SH ENV2 and SH ENV8 of the South Huish Neighbourhood Plan (2019- 2034), and the South Devon AONB Management Plan (2019- 2024) (specifically page 19, Theme 1: Landscape Character Lan/P4 'Tranquillity').

1. Site Description:

- 1.1 Eldoret is a detached two storey dwelling set within a scattering of residential properties in a countryside location a short distance to the east of the village of Galmpton. The site is within a landscape designated as being part of the South Devon National Landscape. It is outside, but close to the boundary with the Undeveloped Coast.
- 1.2 The dwelling is situated to the front of its plot on a key crossroads with public highways to the front and side (south and west elevations) and a number of single storey outbuildings and lean-tos to the rear between itself and neighbouring property

Little Haven immediately to the east. The application property is conspicuous for its bright orange and black colour scheme.

- 1.3 The site is highly visible from the public realm – including from a distance – due to the topography of the site which results in the dwelling sitting higher than the surrounding road levels and with level agricultural land surrounding, with few mature trees and low hedgerows. As such any development in this location will be highly impactful from a visual perspective and any scheme must take this into account and be sympathetic to the setting.

2. The Proposal:

- 2.1 The proposal is to demolish the existing outbuildings and extend the dwelling at a height of 6.3m to the side (north) and rear (east) elevations, raise the height of the existing garage roof by 1.1m and create a rooftop terrace above the garage with patio doors leading from the first floor.
- 2.2 The extension will have full width bifold glazed doors to the south elevation, bifold doors and large gable windows to the north elevation, a wide 'feature' window to the east and 9 no. roof lights to the south, west and north elevations. The roof will be finished with slate tiles and the walls are to be painted render (as there is no indication as to the colour of the painted render it is assumed for the purposes of this recommendation that it would be orange/black to match the parent dwelling).
- 2.3 There are no cross-sectional drawings to show internal format/layout, however the description states that this is a single storey extension.
- 2.4 A previous application on the site for a two-storey extension (0025/23/HHO) was withdrawn after Officers said that they could not support the scheme. The previous extension was 300mm taller to ridge than the current application.

Consultations:

- DCC Highways: No Highways Implications
- Parish Council: Support

South Huish Parish Council have viewed the documents and resolved to support this application but do request that a low emissivity glass be used to help protect the dark skies as per the Neighbourhood Plan policy.

Representations:

Two comments (one of support and one a general comment) have been received and note the following points:

- *Demolition of the outbuildings is beneficial to the aesthetics of the property (and therefore the entire row of adjacent houses).*
- *The rear of the property where the current outbuildings are located looked to be in need of modernising*

- *The outbuildings about the boundary of the neighbouring property*
- *The proposed development modernises the western portion of Eldoret, using more energy efficient materials and greener power solutions (solar panels).*
- *The extension is also single storey, so again should not obscure any views or impact any rights to light.*
- *There are no large windows openings facing the row of neighbouring properties so there should be no issues of being overlooked: the Velux windows face south and east.*
- *concerns about the amount of high level glazing in the form of velux windows and the north facing glass wall/cathedral window*
- *potential for light pollution and to mitigate this we would hope to see low emission glazing installed in these areas.*

Relevant Planning History:

- 0025/23/HHO: Householder application for demolition of outbuildings & alterations and extension to dwelling (withdrawn)
- 2299/23/CLE: Certificate of lawfulness for existing use of land as garden to serve residential dwelling (refused)
- 3475/21/CLE: Certificate of Lawfulness for existing use of land as residential curtilage/garden (refused)
- 46/1541/89/3: Erection of porch (Conditional Approval)

ANALYSIS

3. Principle of Development/Sustainability:

3.1 The site is located 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'. As such, the development must be considered against policy TTV29(5) relating to residential extensions in the countryside which states:

'Proposals to extend or replace existing dwellings in the countryside will be permitted provided: 5. The extension is appropriate in scale and design in the context of the setting of the host dwelling'

3.2 The Plymouth and South West Devon SPD provides further clarification as to what may be deemed acceptable in terms of scale.

3.3 Paragraphs 11.85-11.86 of the SPD states that an extension may be considered 'appropriate' if it does not seek to increase the internal floorspace (on its own or in combination with all subsequent extensions of the original house by more than 50 per cent. The site has had two previous extensions approved, one for a porch in 1989 and another for a first floor extension to provide an en-suite in 2002. After conducting

a site visit, it is clear that both of these consents have been implemented and the internal floorspace gained from these will be deducted from the maximum 50 per cent indicated under paragraph 11.85 of the SPD. There is also a conservatory to the west elevation which does not have any related planning consents but is a later addition.

- 3.4 Previously the applicant has suggested that the outbuildings form part of the original internal floorspace, however Officers dispute this as they appear newer than the original dwelling and are not directly accessible from inside the host dwelling. Therefore, any floorspace removed by demolishing these outbuildings will not be used when calculating the total original floorspace and the subsequent appropriate size of any extension.
- 3.5 Having assessed the plans Officers conclude that the extension proposed is on the cusp of exceeding this 50% increase but is acceptable, on balance, in terms of footprint. As such the principle of development is acceptable.

4. Design

- 4.1 Policy DEV20 of the JLP requires development to have regard to the existing pattern of development in terms of scale, massing, materials, and detailing (amongst other things). Policy SH HBE3 of the neighbourhood plan relates to design quality and requires development proposals to be *‘innovative and locally distinctive using a palette of materials that respond to and integrate with the local built surroundings, landscape context and setting’*.
- 4.2 Paragraph 135 (b and c) of the National Planning Policy Framework (2023) requires that development proposals should be “visually attractive as a result of good architecture” and “sympathetic to local character” and that “development which is not well designed should be refused” (para. 139)
- 4.3 The position of the application site is of key importance when assessing the design of the scheme. The site sits higher than the surrounding road levels, at a key crossroads, with little surrounding tree or hedge cover. It can be seen from a significant distance when approaching Galampton via public highway. As such any scheme must be sympathetic to the setting and be “located and designed to respect scenic quality and maintain an area’s distinctive sense of place and reinforce local distinctiveness” (DEV23.1).
- 4.3 The proposed design, whilst noted to be single storey in terms of functionality and internal layout, is considered to be of excessive height, measuring 6.2m from external ground level to ridge and dwarfing the garage to the front despite the raising of the garage roof by 1.1m. The height to ridge is just 300mm lower than the previous two-storey proposal, even though an entire floor has been removed.
- 4.4 This results in a single storey extension which gives the perception of being a two-storey addition and which cuts awkwardly into the host roof, being above the eaves height by 1m despite being ‘single’ storey.
- 4.5 In addition, when viewed from the front, the roof of the main dwellinghouse is hipped, whereas the roof of the proposed extension is a gable. The Supplementary Planning Document (SPD) advises that roofs of extensions should normally mirror those of the host dwelling (paragraph 13.11) and that any extension must not “over-dominate the

existing house” (paragraph 13.37); the impact of the unsympathetic gable roof pitch on the extension adds bulk to the scheme and further erodes the primacy of the host building.

- 4.6 The proposed design seeks to introduce a varied scheme of fenestration which fails to reflect that of the parent dwelling nor has any overall harmony across the extension itself. To the front there is a tall narrow window and rooflights in two sizes, to the rear wide bifold doors, to the east a wide narrow “feature window” and to the north large panes of glazing which reach high into the apex created by the gable roof. In addition to being incongruous in terms of design, this large, glazed atrium is likely to emit excessive quantities of light into a landscape which is inherently dark, as would the numerous roof lights.
- 4.7 With regards to the material finish of the extension proposed, the existing property has been painted a bright orange and black colour scheme. Officers acknowledge that no planning permission would have been required to paint the property, and that this colour is a matter of personal preference. However, it cannot be disputed that the bright finish of the existing dwelling adds to the prominence of the building and any additional extension.
- 4.8 Accompanying drawings do not specify the colour of the proposed render, and given the existing site context, Officers require more detail on the proposed colouring, due to the site being located on a corner plot highly visible from the public realm and within the South Devon National Landscape. Had the development been considered acceptable in all other regards, these details could have been sought by way of condition.
- 4.9 On balance, when considering the overbearing scale and height of the extension, the unforgiving roof pitch, the inconsistent pattern of fenestration, the high levels of glazing, and overall design of the extension (including the lack of clarity with regards external finish), Officers consider that the scheme fails to have proper regard for the host property, the wider development context/surroundings in terms of style, local distinctiveness, visual impact, scale, massing, detailing, and landscape character, and is therefore contrary to policies DEV2, DEV20, DEV23 and DEV25 of the JLP, and SH HBE 3 of the South Huish Neighbourhood Plan as well as guidance contained within the Supplementary Planning Document, including (but not limited to) paragraphs 13.11 & 13.37) and paragraphs 135 (c & d) and 139 of the National Planning Policy Framework (2023).

5. Landscape/South Devon National Landscape

- 5.1 The development site is located within the South Devon National Landscape (SDNL) and within the Heritage Coast. Policy DEV25 (Nationally Protected Landscapes) 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*” and to “*be designed to prevent impacts of light pollution from artificial light on intrinsically dark landscapes*”. In addition, policy SH Env 8 of the South Huish Neighbourhood Plan states that “*the use of a high proportion of glass in walls and roofs will be discouraged*”.

5.2 The design does not respect the scenic quality of the natural landscape, and the large quantity of glazing has the potential to increase light emissions, which would have an adverse impact on the dark sky characteristic of the AONB, contributing to eroding this special quality. The proposal therefore fails to preserve or enhance the setting of the AONB, contrary to policy DEV23 and DEV25 of the JLP, the guidelines detailed within the AONB Management Plan (Lan/P4), and policies SH ENV2 and SH ENV8 of the Neighbourhood Plan, all of which give the highest degree of protection to the preservation of AONB landscapes

6. Neighbour Amenity:

6.1 Policy DEV1 requires that all proposals safeguard the health and amenity of local communities. To this end, new development should provide for satisfactory daylight, sunlight, outlook, privacy and protection from noise disturbance for both new and existing residents.

6.2 The location of fenestration is considered to respect the privacy of neighbouring dwellings and, whilst the development brings the built form 6m closer to the rearward neighbour 'Little Haven' (to 9m distant), on balance the scheme is deemed acceptable in terms of impact on neighbour amenity.

7. Ecology:

7.1 DEV26 of the JLP requires that all developments should support the protection, conservation, enhancement and restoration of biodiversity and geodiversity across the Plan Area, and that enhancements for wildlife within the built environment will be sought where appropriate from all scales of development.

7.2 The Preliminary Ecological Appraisal submitted by the applicant notes that the scheme is unlikely to have an impact on bat populations and roosts. With regards to birds, a number of nests was noted to exist, all of which had been in fairly recent use. As such the PEA set out a number of safeguarding strategies, including that there be no works during bird nesting season. Should the extension have been acceptable in all other regards a condition would have been recommended that all development adheres to the provisions of the PEA.

8. Drainage:

8.1 The site does not fall within a Critical Drainage Area or Flood Zone 2/3. Whilst the extension is noted not to increase the impermeable surface area due to the removal of the existing outbuildings, the applicant has proposed the use of a soakaway to dispose of surface water from the proposed scheme.

8.2 Should the scheme have been considered acceptable in all other regard, Officers consider that it would have been appropriate to secure these details by condition to ensure surface water runoff did not increase to the detriment of the public highway or other local properties as a result of the development.

9. Conclusion:

9.1 On balance, by virtue of its highly visible location, design, height and scale, the proposed extension is considered an incongruous and overbearing addition to the existing dwelling with discordant fenestration, an ambiguous material finish and a

height and roof pitch which give the perception of a two-storey extension and erode the primacy of the host dwelling

- 9.2 In addition, due to the large degree of glazing proposed in the north, south and west roofs and elevations the scheme threatens to have an unacceptable impact on the intrinsic dark landscape in which it is located.
- 9.3 Overall the extension is deemed to be against the provisions of TTV29.5, DEV2.4, DEV20.2, DEV20.4, DEV23.1, DEV23.3, DEV23.4 and DEV23.5, DEV25.2, DEV25.6, and DEV25.8 of the Plymouth & South West Devon Joint Local Plan (2014-2034), policies SH HBE 3, SH ENV2 and SH ENV8 of the South Huish Neighbourhood Plan (2019- 2034), paragraphs 13.11 and 13.37 of the JLP Supplementary Planning Document, Lan/P4 of the South Devon AONB Management Plan (2019- 2024) and paragraphs 135 and 139 of the National Planning Policy Framework.
- 9.4 Officers therefore recommend refusal.

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

TTV29 Residential extensions and replacement dwellings in the countryside

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 South Huish Neighbourhood Plan was adopted at Annual Council on 20 May 2021. It now forms part of the Development Plan for South Hams District and should be used in deciding planning applications within the South Huish Neighbourhood Area

The proposal is considered against the provisions of the following policies:

SH ENV 2 – Impact on the South Devon Area of Outstanding Natural Beauty
SH ENV 8 – Dark Skies and the avoidance of light pollution
SH HBE3 – Design Quality within the Parish

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 Area of Outstanding Natural Beauty 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.