

COLYTON
(Coly Vale)

05/0597/COU
(FULL)

28/4/05

Applicant: Dr Harvey

Location: Gilpins
The Butts
(Grid Ref: 324379/93915)

Proposal: Convert outbuilding to dwelling

Consultations

County Highway Authority

Refuse – Loss of vehicle parking facilities would encourage parking on the highway with risk of danger to all road users; Increased use of substandard access and School Lane, increasing hazards to pedestrians, including school children.

Environment Agency

No comments

South West Water

No objections

Representations

3 letters of objection were received in respect of the original plans.

2 letters of support has been received in respect of the amended plans.

Summary of Objections

1. Overbearing size of new roof in relation to neighbouring property.
2. Loss of light to garden and house due to height of proposed new roof.
3. Surface water drainage provision shown via neighbouring property.
4. Probability of undermining and structural damage of neighbouring property, especially party walls.
5. Chimneys and flues at neighbouring property would be unable to function, being surrounded by much higher structures.
6. Vehicular problems stemming from deprivation of any parking for the original house and very limited street parking in area.
7. Addition to congestion, loss of amenity and chronic overdevelopment of area.
8. Overuse of a very small site within a Conservation Area.
9. Loss of privacy.
10. Roof line over car port very high and will cast long shadows across front of neighbouring property.

Parish Council

Original Plans

'Colyton Parish Council object to this application as it stands. It is felt the roof line is unacceptable in a Conservation Area and will affect the amenity of neighbouring properties. It is suggested if the roofline is lowered and the unit tied to the main property the Parish Council would then find this application acceptable.'

Amended Plans

'Colyton Parish Council still recommend refusal to this application on the following grounds:

1. The roof line over the car port has been minimally lowered but is still high and will effect the amenity of adjacent properties. The car port should remain single storey with a lean to roof line and no first floor extension.
2. It is felt the addition of a separate unit would lead to overdevelopment of the site and cause extra need for off street car parking but this would not have such an impact if the unit was annexed or tied to the main property.'

Ward Member

Councillor Dr H Waterworth has made written observations in respect of both the original and revised plans, as follows:

Original plans

'Two major problems:-

1. The proposal would take away off-street parking in a Conservation Area, which is already an increasing problem. If approved, will there be off-street parking for Gilpins?
2. The ridge height of the section adjacent to School Lane will be much higher than that of the adjacent property (Retreat) and hence unbalance the street scene for this narrow road.'

Amended plans

'The reduced ridge height would seem to be acceptable. However, the provision of the dwelling would mean that Gilpins, which is a reasonable sized property, would have no off-street parking in an area where off-street parking is very limited indeed. For that reason it should be refused.'

Comment

The Site and Its Surroundings

Gilpins is a semi-detached two storey property located approximately 0.25km to the south west of the town centre (Market Place). Its front wall abuts the road carriageway of The Butts adjacent to its junction with Sidmouth Road. However, the L-shaped plot in which it stands wraps around the rear of Lyme Cottage and The Retreat to the east and has a frontage onto School Lane, a short cul-de-sac off Sidmouth Road which serves Colyton Primary School and five residential dwellings (including The Retreat). Vehicular access into the site is from School Lane, with the driveway/parking area positioned immediately adjacent to a pair of large outbuildings within the curtilage of the property.

The building nearest the rear of the main dwelling features a steeply pitched pantile roof with end gables. It measures 6.5 metres by 4.7 metres and has a roof ridge height of 6.3 metres. There exists a first floor level within the roof of the building, which is used for storage purposes.

Adjacent to the entrance to the property off School Lane is an open-fronted car port incorporating a monopitch pantile roof; this building is of slightly irregular shape but has a maximum width and depth of 5.5 metres and 5.2 metres respectively and a maximum roof height of 5 metres where it adjoins The Retreat. Its side wall abuts the boundary with School Lane.

The two buildings are physically linked by a small single storey lean-to outbuilding.

All three buildings abut the boundary of the property with the neighbouring properties to the north (Lyme Cottage and The Retreat) and each features an attractive natural stone wall finish. The storage building, in particular, is of some merit, featuring brick quoins and door surrounds and timber doors and bargeboards.

The site is located within the designated Colyton Conservation Area. Annotated location and site layout plans are attached for Members' information.

The Proposed Development

Full planning permission is sought for the conversion and extension of these outbuildings to create a two bedroom dwelling.

The submitted details show that the main storage building would be converted to a lounge/dining room with a bedroom and bathroom above. The small lean-to link would be extended to create a kitchen and through passage. The car port would be retained largely as existing, although a fully pitched roof would be constructed in place of the present monopitch roof in order to accommodate a second bedroom and a shower room within the roof space. The ridge of this roof would be 0.6 metres higher than the highest point of the existing monopitch roof but still 0.6 metres lower than that of the main storage building. Light to the bedroom would be afforded by the addition of a flat-roofed half dormer element above the entrance to the car port in the south east elevation (i.e. looking towards the primary school).

The submitted scheme would utilise the existing openings in both the main storage building and the car port and necessitate the creation of only one new opening at ground floor level in the south east elevation of the former. However, two new roof lights would also be installed in the south west elevation of the storage building to serve one of the proposed bedrooms and a bathroom.

Where new construction is required, it is proposed to use natural stone and pantiles to match the existing.

The scheme envisages that the present off-road parking provision for Gilpins would be attached to the proposed new dwelling and separated from the retained rear garden area of Gilpins by a boundary wall extending from the south west corner of the storage building to the high stone wall that forms the boundary of the site with the primary school. Gilpins itself would be left with no dedicated off-road parking provision.

The original proposal envisaged the ridge height of the pitched roof extension to the car port being the same as that of the storage building; however, as referred to above, this has been reduced by 0.6 metres in an attempt to address the objections raised by the Parish Council, Ward Member and neighbouring residents on the grounds of overbearing impact upon neighbouring properties.

A copy of the elevation and floor plan details, as modified, is attached for Members' information.

Planning Policies

Devon Structure Plan 2001 – 2016

Policy ST1 (Sustainable Development)
Policy ST5 (Development Priority 2001 to 2016)
Policy ST16 (Local Centres and Rural Areas)
Policy C06 (Quality of New Development)

Policy C07 (Historic Settlements and Buildings)
Policy TR10 (Strategic Road Network)

East Devon Local Plan 1995 – 2011 Revised Deposit

Policy S1 (Built-up Area Boundaries for Area Centres and Local Centres)
Policy S2 (Built-up Area Boundaries for Villages)
Policy S3 (Development Within Built-Up Area Boundaries)
Policy D1 (Design and Local Distinctiveness)
Policy EN16 (Preservation and Enhancement of Conservation Areas)
Policy TA1 (Accessibility of New Development)
Policy TA6 (Adequacy of Road Network and Site Access)
Policy TA8 (Parking Provision in New Development)

Observations/Appraisal

The main issues in the determination of the proposal are discussed in turn as follows:

Settlement Policy

As the site lies within the Built-Up Area Boundary of Colyton as defined in the emerging Local Plan, there would be no objection to the principle of residential development of the site in settlement policy terms. However, notwithstanding this, the proposal clearly remains to be considered having regard to the following detailed issues.

Impact Upon Character and Appearance of Conservation Area

Although it is accepted that the proposal would result in a residential unit comprising quite limited living space with very little amenity space, this would not be unduly out of keeping with the layout of older properties adjacent to the site and other pockets of development elsewhere in the town centre. Furthermore, the conversion/extension scheme itself is considered to be sympathetic to the modestly attractive character and appearance of the existing buildings and that of the wider conservation area. Indeed, it is considered that the proposed substitution of a fully pitched roof for the monopitch roof of the car port would represent a distinct improvement in its form and appearance.

The resulting building would only be readily visible from public land from the lower end of School Lane; its visual context within the townscape and impact upon the character and appearance of the designated Conservation Area would therefore be relatively limited.

Impact Upon Privacy and Amenity of Neighbours

It is considered that the position of windows and roof lights in the proposed dwelling would be such as to prevent any material intrusion upon the levels of privacy currently enjoyed by the occupiers of neighbouring properties, principal amongst which are The Retreat, Lyme Cottage, Yeomans and Gilpins itself.

Furthermore, in the event of favourable consideration being given to the proposal, control over the future installation of additional windows and other openings could be retained through the withdrawal of permitted development rights.

With regard to the issue of the impact of the development upon light and outlook to/from neighbouring properties, it is accepted that it would result in a slightly greater degree of intrusion than currently exists. However, it is not considered that this would be sufficiently material that objection could reasonably be raised on this ground, particularly given the intimate layout and relationship between properties that exists at present. The concerns raised by objectors regarding issues such as the functioning of chimneys and flues, possible structural damage to neighbouring properties and discharge of surface water via one of the neighbouring properties represent civil matters that are not material to consideration of the proposal on Planning grounds.

Highways

The objections raised by the County Highway Authority to the proposal have been challenged by the applicant's agent, and a copy of the responses made is attached.

There is some sympathy with the argument that there would be no additional traffic generated along School Lane as a result of the proposal due to the fact that the present parking arrangements and capacity within the site would remain unchanged.

There would be no space within the site to allow satisfactory access, egress and additional parking provision for Gilpins itself due to likely blocking of the driveway by vehicles attached to the proposed dwelling preventing access for vehicles to the rear of Gilpins. The present parking arrangements could only ever reasonably serve one or other of the existing or proposed dwellings. As such therefore, it is not considered that this ground of objection could be reasonably supported.

With regard to the objection based on the loss of parking facilities for the existing dwelling, this is readily acknowledged. However, it is considered that some weight needs to be given to the location of the site close to town centre facilities and services, including a bus route, together with the submitted evidence of the presence of on-street parking capacity close to the site at various times of the day.

Although it is recognised that the case in respect of this issue is finely balanced, it is considered on balance that the arguments against the County Highway Authority's objection put forward by the applicant's agent are persuasive. The layout of roads and buildings in the area is such that it is not considered likely that approval of the application would result in periods of unlawful parking on surrounding roads or parking that would result in danger to road users. Albeit not in the heart of the town centre, the site is within easy walking distance of it with some on-street parking provision in reasonably close proximity.

Conclusion

Although finely balanced in respect of the issues relating to the impact upon the amenities of neighbouring residents and the displacement of the off-road parking facilities that serve the existing main dwelling, it is concluded that the proposed development would be acceptable having regard to all material considerations.

Approval of the application is therefore recommended subject to conditions, amongst others, ensuring that off-road parking provision is maintained and removing permitted development allowances in respect of alterations and extensions to the building in the interests of safeguarding the amenities of the closely neighbouring residents and preventing overdevelopment of the site.

Recommendation

APPROVE subject to the following conditions:

Conditions

1. All external works of alteration in the existing fabric of the building shall be carried out in matching stonework or brickwork, as appropriate, and all work shall be made in matching stone work/brick work. A sample of the stone/brick shall be submitted and agreed in writing by the Local Planning Authority prior to commencement of works.
Reason – In the interests of the character and appearance of the development and the designated Colyton Conservation Area in which it is located.
2. All stonework/brickwork repointing and rendering shall be carried out using a lime based mix, the specification of which shall be approved and agreed in writing by the Local Planning Authority. The colour, texture, type of bond and joint, and finish shall in pointing match original work, and a small trial area shall be prepared in a non-prominent location for inspection and approval by the Local Planning Authority prior to the commencement of the works.
Reason – In the interests of the character and appearance of the development and the designated Colyton Conservation Area in which it is located.
3. Samples of the proposed roofing materials including slates, tiles or ridge tiles shall be submitted to and approved in writing by the Local Planning Authority, and no other material shall be used without consent. The method of fixing of slates/tiles shall be agreed and approved in writing by the Local Planning Authority prior to commencement of works.
Reason – In the interests of the character and appearance of the development and the designated Colyton Conservation Area in which it is located.
4. The rooflights indicated on the approved plans shall be of a conservation design flush with the roof, the model specification of which shall be agreed and approved in writing by the Local Planning Authority prior to commencement of works.
Reason – In the interests of the character and appearance of the development and the designated Colyton Conservation Area in which it is located.
5. All new barge boards, soffit boards, fascia boards and external cladding shall be in timber only and no other materials and shall be painted, unless the written consent of this Council is given to any variation.
Reason – In the interests of the character and appearance of the development and the designated Colyton Conservation Area in which it is located.
6. All new windows and doors indicated on the approved plans shall be made of timber only and no other materials, and be painted, unless the written consent of the Local Planning Authority is obtained to any variation.
Reason – In the interests of the character and appearance of the development and the designated Colyton Conservation Area in which it is located.
7. Windows permitted shall be recessed in the wall to match the existing windows.
Reason – In the interests of the character and appearance of the development and the designated Colyton Conservation Area in which it is located.
8. The land between the building and the south eastern boundary of the site shall only be used for the parking of vehicles and for no other purpose, unless an alternative and equivalent

area of land within the curtilage of the site is provided and kept available for car parking purposes.

Reason – To ensure that adequate and safe provision is made for the occupiers and in the interests of highway safety.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enabling that Order, with or without modification), no development of the types described in Classes A,C, D and E of Part 1 of Schedule 2 to the Order shall be undertaken without a grant of express planning permission from the Local Planning Authority.

Reason – The space available would not permit such additions without resulting in overdevelopment of the site or detriment to the character and appearance of the designated Colyton Conservation Area in which it is located.

10. No development shall take place until satisfactory details as to the height and design of the new boundary wall to be constructed along the boundary of the site with the retained garden area of Gilpins, including details as to the materials to be used in its construction, have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason – In the interests of the character and appearance of the development and the designated Colyton Conservation Area in which it is located.

11. The permission hereby granted relates to the submitted application as amended by the details shown on the revised drawing no's. 1A and 2A received by East Devon District Council on 14 April 2005.

Reason – To define the permission, and in the interests of the character and appearance of the development and the designated Colyton Conservation Area in which it is located.

List of Background Papers

The file containing all letters, consultations, and documents referred to in the report.