

BUDLEIGH SALTERTON 06/0945/RES 31.05.06  
(Budleigh) (RESERVED MATTERS)

Applicant: Mr Oram

Location: C/o Oak Lodge, 3 Station Road  
(Grid Ref: 305044/82179)

Proposal: Erection of dwelling and construction of vehicular access.

### **Consultations**

County Highway Authority  
Visibility splay across frontage of  
Brambles to be maintained as required  
by condition on outline application

South West Water  
No comments

Environment Agency  
No comments

### **Planning History**

App. No.	Year	Proposal	Date and Decision
P2171	2003	Erection of one bungalow with new Vehicular access	06.10.03 Withdrawn
P3079	2003	New detached dwelling and formation of vehicular/pedestrian access	21.05.04 Approved
0124/RES	2006	Erection of one bungalow and Construction of new access	03.03.06 Refused

### **Parish Council**

The Town Council has recommended refusal of the application, for the following reasons:

1. Contrary to Policy C06 of the Devon Structure Plan 2001 – 2016.
2. Budleigh Salterton Design Statement states:
  - (i) The principle of using infill sites is acknowledged. However, where such infill is detrimental to the quality of, and fails to enhance the Area of Outstanding Natural Beauty, it should not be supported. If the cumulative effect with other infill additions is similarly detrimental to the town as a whole, these too will not be supported. These provisions will also apply to any high density out-of-scale development."
  - (ii) "In existing areas of low density, proposed developments of a markedly higher density, inappropriate to the context and character of the local surroundings, by virtue of scale, design or compatibility, should not be supported".

### **Ward Member**

Cllr. Falby has commented,

"At every stage of this application the Town Council and the Ward Members have stated the obvious: This plot is too small for such an outsize house. The Budleigh Salterton Design Statement (SPG) states that "in areas of low density, proposed developments...inappropriate to the context and character of the local surroundings...should not be supported 5:1.3

Version 1 (06/0124), Version 2 (06/0945) and this version 3 (a "revised" 06/0945) should all be refused this is a garden infill "detrimental to the quality of, and fails to enhance the AONB."

In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.

Cllr. Roden has commented,

“This application is the third set of plans. I note that the footprint of these plans is identical to that of the previous plans. I do not feel that the applicant should be allowed to continue to change the original plans – the footprint is still too large. The re-design is minimal this application contravenes the Budleigh Salterton Design Statement. This is becoming a cat and mouse game.”

In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.

### **Representations**

4 letters/e-mails of objection have been received

### **Summary of objections:**

- Overdevelopment of plot
- Design uninspired and out of keeping with the surrounding area
- Insufficient on-site turning provision
- Boundary treatment should be hedging

### **Location**

The site relates to a vacant plot of land to the north side of Moorlands road and at the point where the road turns through 90 degrees. The site frontage is approx. 11 metres but opens out toward the rear of the site to approx. 22 metres and is approx. 27 metres in depth. The site itself and the surrounding land slopes down from Southwest to Northeast. The boundaries of the site are currently formed to the Southwest side by a block work retaining wall with vertical boarded fencing over, to the Southeast by vertical boarded fencing and by a mature hedgerow to the Northwest. There is a small section of timber fencing at the southern end of the frontage to the site with the remainder open.

The surrounding area is residential in nature and features properties of a variety of forms and design. To the South and West properties are generally larger two storey dwellings set within generous plots, with to the East a variety of building styles and more modern properties set in more modest plots. The predominant materials used include render, brick and hung tiles to the elevations and interlocking tiles to the roofs.

### **The Proposed Development**

The application is for Reserved Matters for the erection of an ostensibly single storey L shaped dwelling, although with a first floor level of accommodation provided within the roof space and the inclusion of two number dormers (one on the front roof slope and one on the rear), a window is also proposed at first floor level within the gable of the front projection.

### **Planning Policy**

#### **Adopted East Devon Local Plan**

- D1 Design and Local Distinctiveness.
- EN1 Development in Areas of Outstanding Natural Beauty
- S3 Development within Built-up Area Boundaries.
- TA6 Adequacy of Road Network and Site Access

## Devon Structure Plan (2001 - 2016)

- C03 Areas of Outstanding Natural Beauty
- C06 Quality of New Development

## Budleigh Salterton Design Statement

### National Planning Guidance

PPG3 Housing

## **Observations**

The proposal follows the refusal of application 06/0124/RES. The current application shows a reduction in the footprint of the proposed dwelling and a reorientation of it within the site to increase the private amenity space provision.

It is considered that the main issues for consideration in the determination of the application are the design and external appearance of the proposed dwelling, its size, scale and siting in relation to the plot itself and the surrounding area, the effect on neighbouring occupiers and the landscaping of the site.

## **Size, scale and siting**

The proposed dwelling would be cut into the slope of the surrounding site in an effort to minimise its visual impact, but resulting in a large length of retaining wall and fence on the southwest boundary. The dwelling is shown set toward the rear of the plot and would therefore maintain the fairly open and spacious nature of the surrounding area, where neighbouring properties are generally set well back from the highway edge. The footprint of the dwelling has been reduced and the dwelling turned slightly, which has created a more useable amenity space to the rear and side of the property. Further amendments have been submitted involving a further slight change in the orientation of the property and the removal of the half hips to the roof, which serve to reduce the overall massing of the proposal. In order to compensate the loss of first floor area the ridge height of the forward projection has also been increased (to match that of the main roof) and first floor accommodation provided within this area.

The Town Council and a number of objectors have raised concern regarding the size of the proposed dwelling in relation to the plot. Other plots in the area are generally larger than the proposal site but there are some examples of similar sized plots on lower land to the east of the site. The height of the dwelling is considered to be appropriate given its positioning in relation to neighbouring properties but the footprint remains large, in comparison with the plot. The siting of the proposal toward the rear of the plot would help to maintain a feeling of openness and it is considered that sufficient space is retained around the building and between it and neighbouring properties.

## **Design and external appearance**

The proposal is of single storey form but includes living accommodation within the roof area to provide a first floor level of accommodation. Two dormer windows are proposed within the roof slope, one on the front roof slope and one on the rear. The dormer on the rear roof slope would serve a bathroom and would not be visible to public view. The front dormer would serve a bedroom and is considered to be relatively well proportioned and positioned within the roof slope. Although dormers are not features of other properties in the area, there are a variety of design forms and materials in the immediate vicinity and no overall characteristics to conform to. The inclusion of the dormer also provides some visual interest to the front roof slope of the building. The materials proposed would reflect those used on the properties to the southwest of the site.

Both the Town Council and several local residents have indicated that the design is out of character with the surrounding area and the guidance contained within the Budleigh Salterton Design Statement. Whilst the proposed dwelling is fairly low key and simple in its design it is considered that this is preferable to minimise the visual impact of the building on the surrounding area. It is also not considered that there is any overall uniformity in the design of buildings in the surrounding area to which the proposal should conform.

### **Impact on neighbouring occupiers**

Overlooking of neighbouring properties is considered to be limited and would be restricted to views at a distance in excess of 30 metres from the dwelling house opposite, of which limited views are already possible from the road. The proposed dormer on the rear roof slope would be obscure glazed and would therefore not lead to overlooking of the garden of the neighbouring property to the rear.

### **Landscaping**

The application proposes a detailed landscaping scheme for the site, including the provision of screen planting on the raised retaining bank to the southwest and feature plants at the entrance. A pedestrian access would be retained to the rear garden to the southwest side of the property. The majority of the site frontage would be needed to provide on-site turning and is proposed to be constructed from concrete setts. The front boundary would be marked by a low-level brick wall. The scheme is considered to be appropriate for the dwelling and would help to ameliorate the appearance of the retaining wall and fence marking the boundary between the site and 'Brambles' to the south west, currently open to view from the road.

### **Conclusion**

The proposed single storey dwelling has been reduced in size over the previous refusal which has created additional private amenity space for the dwelling. Further amendments, designed to reduce the massing of the building and improve the overall design, have resulted from officer negotiations. Whilst the footprint of the dwelling is still relatively large for the size of the plot, by being set back from the road the spacious character of the surrounding area is partially maintained. The design is fairly uncomplicated and together with the ostensibly single storey form of the building the visual impact of the proposed dwelling is minimised. It is considered that a two storey property on the site whilst having the advantage of allowing a smaller footprint and more space around any such dwelling would be visually more prominent in the streetscene and may give rise to issues of overlooking and loss of privacy. In conclusion the proposal is considered to be acceptable subject to the following conditions.

### **Recommendation**

Approve the following reserved matters:-

1. Siting
2. Design
3. External appearance
4. Landscaping

Subject to the following additional conditions:-

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1. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building, and driveway hereby permitted 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 - To ensure that the materials are sympathetic to the character and appearance of the area.)
2. Prior to the commencement of development further details of the front boundary wall including scaled elevational drawings of the wall, piers and gate and where so required material samples shall be submitted to and approved in writing by the Local Planning Authority.  
(Reason - To ensure that the design and materials are sympathetic to the character and appearance of the area.)
3. The landscaping scheme hereby approved shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing by the Local Planning Authority and shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.  
(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area.)
4. Notwithstanding the submitted details as shown on drawing nos. 2905.8 & 2905.9 the dormer window at first floor level on the rear roof slope shall be obscured glazed only and permanently maintained as such.  
(Reason – In the interests of maintaining the privacy and amenity of neighbouring occupiers)
5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development of the types described in Classes A, B, C, of Part 1 of Schedule 2 (which includes enlargement, improvement or other alteration) shall be undertaken on the premises, other than hereby permitted, or unless the prior written consent of the Local Planning Authority has been obtained.  
(Reason – To allow the Local Planning Authority to retain control over such development)

### **List of Background Papers**

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