

PLANNING APPLICATION REPORT

Case Officer: Charlie Bladon

Parish: Iybridge **Ward:** Iybridge West

Application No: 3295/21/FUL

Agent/Applicant:

Mr Ian Hodgson - DMR Design
The Acorn Centre - Lee Mill Industrial
Estate
Oak Court
Pennant Way
Iybridge
PL21 9GP

Applicant:

Mr & Mrs Pearce
Restholme
Western Road
Iybridge
PL21 9AT

Site Address: Restholme, Western Road, Iybridge, PL21 9AT



Development: Construction of 2 residential dwellings with parking

Reason item is being put before Committee *This case is brought before the committee at the request of Councillor Austen to consider whether the proposal constitutes 'over-development' and also highways concerns.*

Recommendation: Delegate authority to approve subject to securing a Unilateral Undertaking for mitigation of recreational impacts on the Plymouth Sound / Tamar Estuary EMS.

Conditions: (list not in full)

Time for commencement

Approved plans

Construction and delivery hours

Provide parking prior to occupation

Provide foul and surface water drainage prior to occupation

Remove PD rights

Unsuspected Contamination

Key issues for consideration:

Principle of development, design / visual impacts, amenity impacts, ecology, drainage, highways implications

Site Description:

The application site comprises part of the garden of a detached dwelling set in a large corner plot on the southern edges of Lybridge. The site is located within an established residential area and is surrounded by existing residential development. There is a mixture of housing types and architectural styles present in the local vicinity. The site is within the catchment area for the Plymouth / Tamar European Marine Site (EMS). The site is not within the AONB and is not within a Conservation Area or other designation. There are no listed buildings or other heritage assets in close proximity to the site. The land within and surrounding the site is fairly level, with no significant changes in ground levels. The land slopes very gently downhill to the south and west.

The Proposal:

Full planning permission is sought for the construction of a pair of semi-detached dwellings with associated parking and outdoor amenity space. The dwellings would offer two double bedrooms and two parking spaces each and would be of a typical contemporary design, finished in materials to match the appearance of the existing modern housing to the rear of the site, including painted render walls, a natural slate roof with concrete ridge tiles and upvc double glazed windows and doors.

Consultations:

- County Highways Authority - standing advice applies.
- Tree Officer - No objection on arboricultural merit

- Town/Parish Council – no objection, offers support.

Representations:

Representations from Residents

Comments have been received and cover the following points: [Objections]

- Development would increase pressure for parking and congestion on local roads
- Loss of parking on Bowdens Park
- Disruption to local residents during construction
- Proposal adds to existing over development of Ivybridge in general
- Loss of privacy and light to dwellings opposite (south)

Relevant Planning History

27/1890/07/F: FUL Extension and alterations to dwelling Restholme Western Road
Ivybridge PL21 9AT Conditional approval: 22 Oct 07

ANALYSIS

Principle of Development/Sustainability:

The site is located within Ivybridge which is noted as a main town within Policy TTV1 of the JLP. Policy TTV1 notes that growth will be prioritised in the main towns to enable them to continue to thrive, achieve strong levels of self-containment, and provide a broad range of services for the wider area.

The site is located within a location within close proximity to goods and services in line with Policies SPT1 and SPT2 of the JLP and the principle of residential development in this location is therefore accepted.

The application would seek to provide for a pair of 2-bedroomed, semi-detached properties. In response to the housing market data for the Ivybridge Parish Area, the proposed development would contribute to the housing mix available in the settlement and provide housing appropriate to young families and older people seeking to retain self-sufficiency. As such, the proposal accords with JLP Policy DEV8.

Design/Landscape:

The two dwellings would be positioned towards the southern edge of the site, fronting onto Bowden Park with driveway parking to the front and side, a small garden to the front and larger gardens to the rear. The proposed development is not considered to result in overdevelopment of the site, and the scale, architectural style and finishing materials are in keeping with the existing modern housing development on Bowden Park, for which permission was granted circa 2006.

JLP Policy DEV10 requires, amongst other things, both new and converted dwellings to have an acceptable amount of internal space that meets national space standards. In addition, a sufficient amount of external amenity space is also required. In this case, having regard to the proximity of local public park amenities, the proposed garden areas are considered to be of sufficient size to serve the proposed dwellings.

After some initial concerns regarding the dimensions of the internal space, the floor plans were reconfigured to offer fewer but larger bedrooms and the development is now considered to meet the requirements of the National Space Standards, the requirements of the SPD and JLP Policy DEV10

There are a mix of housing types and styles in the local area, the most prevalent being a modern development around 15 years old, which comprises mostly two-storey terraced and semi detached properties, finished with coloured/painted render walls and tiled roofs. It is considered that the size, scale and visual appearance of the proposed dwellings are appropriate for the location and the surrounding streetscene, with the materials and design of the dwellings considered to fit comfortably within the existing streetscene.

The tree officer has reviewed the development site and the proposed development and did not wish to raise any objection on arboricultural grounds. There were some large conifers at the southern boundary of the site which were removed, however it is considered that they did not make a significant contribution to the character or appearance of the site or surroundings.

Neighbour Amenity:

The proposal complies with the principles of good neighbourliness and the protection of existing residential amenities.

There have been some concerns raised by residents on Bowden Park regarding a potential loss of privacy arising from the development. The proposed dwellings would be positioned at the edge of the site, fronting onto the road. This would be in keeping with the established pattern of development on Bowden Park and the window to window distance would be compatible with other adjacent development on Bowden Park. It is considered that the development would result in an acceptable relationship between the development site and surrounding properties.

There have been some concerns raised regarding the potential for disturbance of nearby residents during construction. It is considered reasonable to add a condition relating to construction/delivery hours to restrict this to 08.00 to 18.00 Mondays to Fridays, 09.00 to 13.00 on Saturdays and at no time on Sundays or Bank Holidays to safeguard the amenities of the adjoining residential properties.

As such, the proposal would not lead to any materially harmful impact on residential amenity by way of loss of light, loss of outlook, loss of privacy or overbearing impact. It would therefore accord with JLP Policies DEV1 and DEV2 and the requirements of the NPPF.

Highways/Access:

There have been some concerns raised regarding the impact of traffic attracted to the new dwellings on local traffic congestion and competition for on-street parking. The provision within the site of parking for 2 vehicles per dwelling area meets the requirements set out in policy DEV29 of the Joint Local Plan and the guidance in the JLP Supplementary Planning Document and this will be secured by condition to be provided prior to first occupation of the dwelling and retained thereafter to ensure adequate on-site parking is available to serve the development.

The DCC Highway Officer has not raised an objection to the proposal, instead requiring

Officers to consider the standing DCC Highways advice issued to the Council. The proposal would create a new access for each of the new dwellings from the adjacent minor estate road called Bowden Park. It is considered that the access and parking arrangements are acceptable and comply with DEV29 of the JLP and DCC Highways standing Advice guidance document.

Other Matters:

The site is not within a flood risk area and would provide adequate solutions to handle both foul and surface water drainage.

The proposal includes a statement within the design and access statement to address the sustainability objectives of the proposal and the compliance of the proposal to DEV32 of the JLP. The dwellings would be constructed to a high thermal efficiency, would take advantage of solar gain through the orientation and layout, and would provide solar photovoltaic panels on the roof.

Given the constrained nature of the site it is considered appropriate to remove some permitted development rights to ensure the preservation of both the amenities of nearby residents and also the character and appearance of the site and the surrounding area.

The site falls within the Zone of Influence for new residents have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan. A scheme to secure mitigation of the additional recreational pressures upon the Tamar European Marine Site can be appropriately secured by legal agreement, and this approach has been agreed by Natural England.

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).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.

On 13th January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth. South Hams and West Devon's joint HDT measurement as 144% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

[*now known as Department for Levelling Up, Housing and Communities]

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

DEV10 Delivering high quality housing

DEV20 Place shaping and the quality of the built environment

DEV26 Protecting and enhancing biodiversity and geological conservation

DEV29 Specific provisions relating to transport

DEV32 Delivering low carbon development

Iybridge Neighbourhood Plan

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: SPD2020.

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.

The above report has been checked and the plan numbers are correct in APP and the officer's report. As Determining Officer I hereby clear this report and the decision can now be issued.

Name and signature: CBladon

Date: 20/04/22

Proposed Conditions:

1. The development hereby approved shall in all respects accord strictly with drawings:

Received 08/03/22:

2005 P01 Rev.B Proposed Block Plan and Floor Plans

2005 P01 Rev.A Proposed Elevations

Received 15/09/21:

2005 L01 Site Location Plan

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.

2. 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.

3. Foul and surface water drainage shall be provided in accordance with approved plans '2005 P01 Rev.B Proposed Block Plan and Floor Plans' and 'Design and Access Statement Rev.B' prior to first occupation of the hereby approved dwellings.

Once installed the foul and surface water drainage schemes shall be maintained and retained for the life of the development.

Reason: To ensure a satisfactory and sustainable foul and surface water drainage system is provided to serve the development.

4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (and any Order revoking and re-enacting this Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-

(a) Part 1, Class A (extensions and alterations)

(b) Part 1, Classes B and C (roof addition or alteration)

(c) Part 1, Class D (porch)

(d) Part 1, Class E (a) swimming pools and buildings incidental to the enjoyment of the dwelling house and; (b) container used for domestic heating purposes/oil or liquid petroleum gas)

(e) Part 1, Class F (hard surfaces)

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality.

5. Prior to the occupation of the dwellings hereby approved, the parking areas shall be laid out in accordance with approved plan '2005 P01 Rev.B Proposed Block Plan and Floor Plans', and made available for use by occupants of the dwellings and retained as such in perpetuity.

Reason: In the interests of the safety and convenience of users of the highway.

6. The delivery of goods and building materials during the construction period for the approved development and construction/building works on the site shall not take place outside the hours of 08.00 to 18.00 Mondays to Fridays, 09.00 to 13.00 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To safeguard the residential amenities of adjoining residential properties

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.