

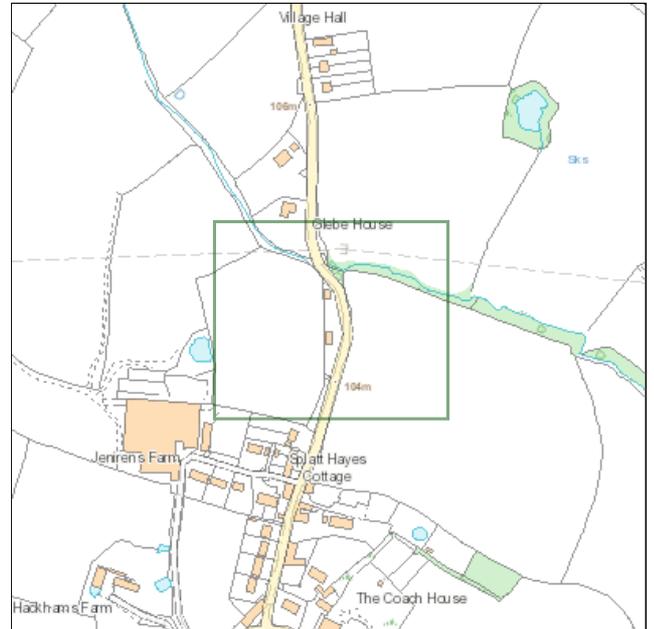
Ward Feniton

Reference 21/0039/FUL

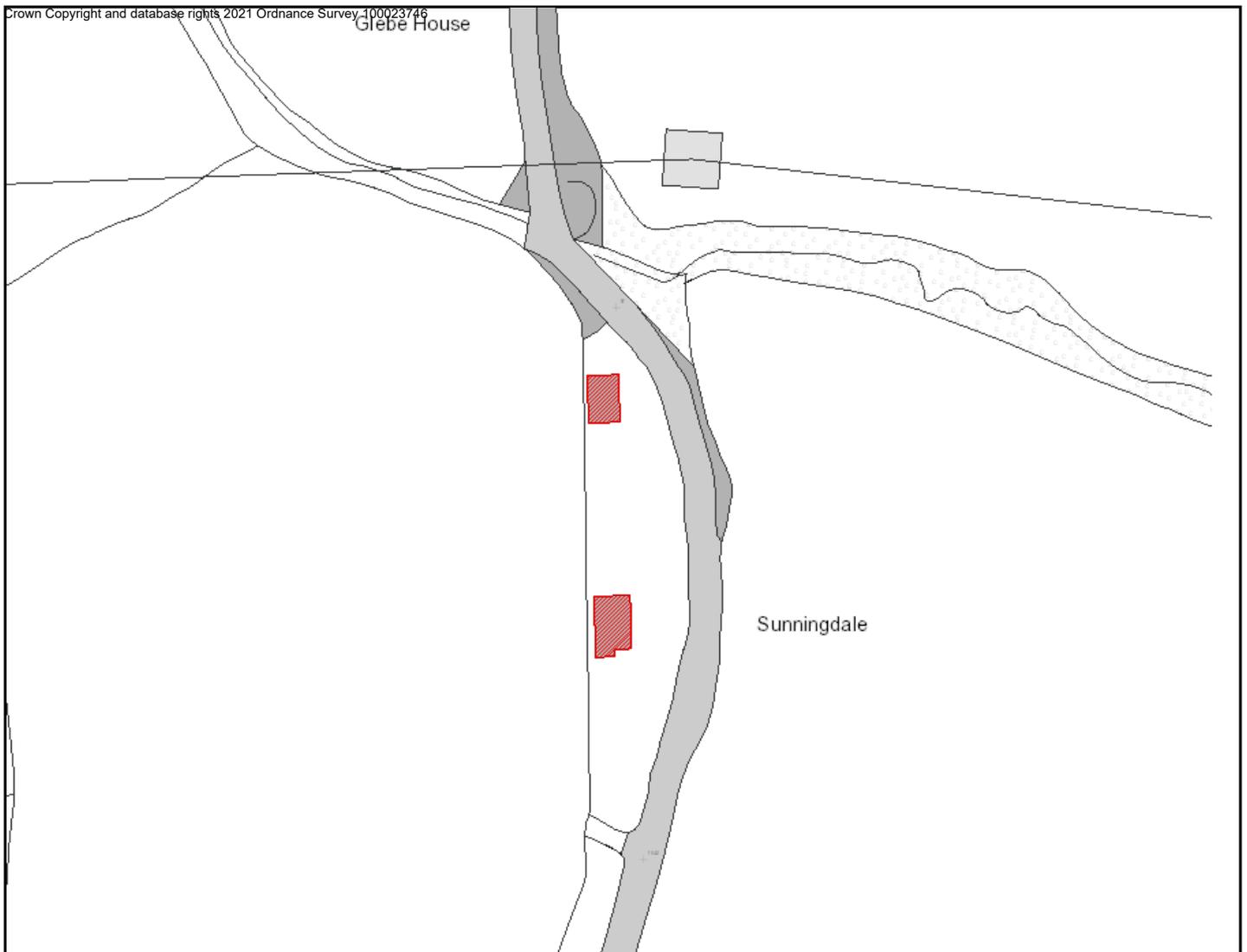
Applicant Mr Raymond Borkowski

Location Sunningdale Buckerell Honiton EX14 3ER

Proposal Replacement of existing dwelling and garage/workshop with new dwelling and garage with storage space



RECOMMENDATION: Approval with conditions



		Committee Date: 15th July 2021	
Feniton (Buckerell)	21/0039/FUL	Target	Date:
		08.03.2021	
Applicant:	Mr Raymond Borkowski		
Location:	Sunningdale Buckerell		
Proposal:	Replacement of existing dwelling and garage/workshop with new dwelling and garage with storage space		

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is brought before the Committee owing to a difference of opinion between officers and the now former ward member.

The Member in question has, since being consulted on the latest revised proposals for the development, resigned from the Council. In so doing, no further comments were made regarding these. The application is therefore being reported to the Committee on the basis of a conflict of view based upon observations received in opposition to the original plans.

Sunningdale is a two bedroom 'Woolaway' bungalow that occupies the more elevated part of an elongated roadside plot within open countryside to the north of Buckerell. The site also houses a detached garage/workshop building around 32 metres to the north of the main dwelling on lower ground. There are existing vehicular accesses at both the northern and southern ends of the plot.

The proposal seeks the replacement of the existing main dwelling with a log cabin style equivalent, also two bedroom, in part on the same footprint as the present building but mainly to its south, together with the replacement of the outbuilding with a triple garage with storage space above.

The original submission proposed a considerably larger outbuilding incorporating storage areas alongside the garage with residential accommodation within the roof space above, intended for occupation by the applicant's daughter. However, in the light of officer and ward member concerns relating to the extent/level and independent nature of this accommodation, this element of the scheme has been scaled back quite considerably such that it now only contains garage and storage space for use ancillary to the use and occupation of the main dwelling.

Indeed, the reduced scale of the building compares far more favourably with that of the existing building that it would replace. As such, it is no longer considered that objection to it on the basis of lack of subservience, either in scale or use, to the principal dwelling could reasonably be supported.

As such, and in the absence also of any objections to the scale, siting or design of the proposed replacement main dwelling, approval is therefore recommended subject to conditions, among others, relating to materials and landscaping.

CONSULTATIONS

Local Consultations

Clerk to Buckerell Parish Council (Original comments)

This application has been discussed by Buckerell Parish Council who wish to make the following comments -

1. Councillors note the change of use of the southern entrance from an occasional entrance to a field to vehicular entrance to the property itself.
2. Councillors feel that any approval should be subject to an accompanying section 106 agreement to ensure that the garage with residential accommodation is not sold, disposed of or let separately from the principal dwelling in the log cabin and the plot should remain as one curtilage.
3. It should be noted that to address road safety concerns along this road Buckerell Parish Council is currently actively seeking to extend the 30mph speed limit northwards further out from the village centre. The increased vehicular access with this application increases the importance of this endeavour.

Feniton - Cllr Susie Bond (Original comments)

I have reviewed the above application and my initial response is that it should be REFUSED.

It would have been better if these two projects had been treated as separate planning applications. I support (and welcome) the replacement of the original dwelling ('Sunningdale').

However, the replacement of the garage and conversion to a considerably bigger building with a three-bedroom apartment above has absolutely no policy support within the Local Plan framework. In fact, the conversion of the garage is completely contrary to Strategy 7 of the Local Plan (Development in the Countryside) and, as such, should be refused.

There are local concerns that the southern entrance to the site was created as a vehicular access less than two years ago (albeit by a previous owner), resulting in the exit from the site for the proposed garage conversion being on a dangerous bend with limited visibility.

These are my initial views, but keep an open mind until I have heard all views for and against.

Clerk to Buckerell Parish Council (Comments re. first amended plans of replacement outbuilding)

The revised application was discussed at a meeting of Buckerell Parish Council on 17th March 2021. It was agreed that the original comments made by the Parish Council still apply, and note what is in effect a simple labelling change from accommodation to storage.

Feniton - Cllr Susie Bond (Comments re. first amended plans of replacement outbuilding)

I note that the revised application removes the ancillary accommodation in the half-storey above the garage. However, the garage is still 5m longer than the existing timber garage and is barely subservient to the main property.

A replacement garage would be acceptable, in my view, but not to the scale and proportion envisaged in this application.

Clerk to Buckerell Parish Council (Comments re. second amended plans of replacement outbuilding)

Councillors have viewed the amended plans and there are no further comments that they wish to make.

Technical Consultations

None.

Other Representations

No third party representations have been received in respect of the application proposal.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 5B (Sustainable Transport)

Strategy 7 (Development in the Countryside)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

Strategy 50 (Infrastructure Delivery)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

EN5 (Wildlife Habitats and Features)

EN14 (Control of Pollution)

EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment System)

EN22 (Surface Run-Off Implications of New Development)

H6 (Replacement of Existing Dwellings in the Countryside)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

(There is no neighbourhood plan in force for Buckerell parish.)

Government Planning Documents

NPPF (National Planning Policy Framework 2019)

ANALYSIS

Relevant Planning History

There is no previous history relating to the application site.

Site Location and Description

Sunningdale is a detached two bedroom 'Woolaway' bungalow that occupies a central position within an elongated plot, approximately 0.145 hectares in area, located within open countryside around 100 metres to the north of the nearest residential property on the edge of Buckerell. The site is situated on the western side of a Class C road that connects the village with the A373 where it ascends toward Hembury Fort to the north west of Awliscombe.

The building is of gabled form with precast sectional concrete walls under a profiled concrete tile roof pitched roof. It has approximate dimensions of 12.2 metres by 6.8 metres with a roof ridge height of 5.4 metres.

This includes a flat-roofed single storey element housing a porch and a sun room, which bears the appearance of a later addition, attached to the southern end gable of the main part of the dwelling.

The main property occupies almost the highest part of the plot, which falls away to the north and includes, towards the northern end of the site, an ancillary single storey vertical timber boarded outbuilding, described in the application as a garage/workshop, with a pitched roof comprising corrugated metal sheeting.

This structure, which measures around 9.7 metres by 5.8 metres with a maximum roof ridge height of 4 metres, is positioned around 32 metres from the dwelling.

The site is accessed via an entrance off of a field access at its southern end while there is a second entrance at the northern end, close to the outbuilding.

Evidence, in the form of a review of Google StreetView, indicates that the road frontage boundary, until recently, consisted of an established hedge and trees. However, these have been extensively cut back and felled respectively so that the site is far more exposed to view from the highway than previously. A single Beech tree, positioned between the bungalow and this boundary, remained in place at the time of the officer site visit.

Neither the site nor the surrounding area are the subject of any designations or other material constraints.

Proposed Development

The application proposal involves the demolition of both the bungalow and outbuilding and the construction in their place of a larger two bedroom bungalow and ancillary outbuilding comprising a triple garage with storage space within the roof above.

The details of the proposed replacement bungalow show both a regular plan form and gabled building form that would be similar to that of the existing bungalow. It would incorporate, in addition to the bedrooms, a combined kitchen/dining/living area, a shared en suite facility for both bedrooms, a utility room, w.c., cupboard and, at its southern end, an integral sun room. A raised terrace with balustrade, again integral to the building, would be incorporated within the northern end of the development.

It would measure 17 metres in length (excluding the notional depth of the partially enclosed raised terrace) by a width of 7 metres with a roof ridge height of 5 metres (from internal floor level).

The building would principally be of log cabin appearance designed, and to be constructed, by Canada Wood, a Devon-based company that provides homes of such a style. The design and access statement accompanying the application advises that 'Canada Wood use responsibly grown logs to construct their homes, each one designed to their client's specification. In this case the style has been chosen because the natural materials will sit comfortably within the countryside. Using logs to construct the property dictates the shape and internal layout, but the overarching design is that of a log chalet with traditional slate pitched roof forming an overhanging veranda around the cabin.'

The building would sit on a stone-clad plinth set into the slope of the site, with a log store beneath.

This part of the development would be positioned to the south of the present bungalow in closer proximity to the southern entrance to the site, which would itself be retained unaltered, to enable the applicant to continue to live in the latter whilst the former is being constructed. However, it is intended that the existing building would be removed as soon as the new dwelling is habitable. The northern part of the development would occupy the footprint of the flat-roofed porch and sun room attached to the southern gable end wall of the present main building; this element would therefore obviously require removal in order to carry out the development.

As originally submitted, the proposed replacement outbuilding was of one and a half storey height and intended to provide, in addition to a triple garage in which to house the applicant's collection of cars, a workshop/store at one end together with 'ancillary accommodation' above for occupation by his daughter. This was shown to comprise a living area, three bedrooms and a bathroom.

The design and access statement states that 'although in planning terms the proposal will provide two dwellings, the intention is for the proposal to remain as one property with a main residence and garage with ancillary accommodation above.' However, in the light of officer concerns regarding the level of accommodation proposed, coupled with the degree of physical and functional separation from the proposed replacement main dwelling, it was considered that this would be tantamount to the creation of a further dwelling in an open countryside location without any policy support.

This part of the scheme has therefore been modified to omit the living accommodation, retaining only the triple garage with storage space above, resulting in a building of significantly reduced (around a third) length and height to the effect that its overall footprint area and scale are more closely aligned to that of the existing outbuilding. However, a bridge-style walkway to connect the latter to the raised level of the adjacent garden area has also been kept from the original plan.

Its dimensions, as amended, would be 10.8 metres by 6.8 metres with a roof ridge height of 5.9 metres.

It is intended that this building be finished externally with natural stone with a natural slate roof to match that of the proposed main replacement bungalow.

Again, the existing northern site entrance would not be altered. However, the present gravelled hardstanding in front of the existing garage/workshop would be substituted for a much larger hardstanding, with a parking and turning area, alongside and beyond the proposed replacement building. This would likely necessitate further engineering operations within the site in order to create an appropriate level for vehicles.

Considerations/Assessment

The principle of development involving the replacement of existing dwellings within the countryside is acceptable in line with the provisions of Policy H6 of the Local Plan subject to a number of criteria being satisfied. These require that:

1. There is an existing permanent habitable dwelling located on the site.
2. The replacement dwelling is located on, or adjacent to, the footprint of the existing dwelling, or elsewhere within the curtilage of the building where a clear planning or environmental benefit will be achieved.
3. The replacement dwelling does not detract from the appearance and character of the landscape.
4. The dwelling to be replaced is not of architectural importance (whether listed or not) or important in terms of contributing to landscape character or quality or local distinctiveness.

In essence, it is considered that the proposed replacement dwelling itself would meet with each of these.

There is no question as to the permanence, habitable status or condition (in spite of being substandard) of the existing bungalow to suggest that the fundamental principle of replacement should be called into question.

The proposed new dwelling would in part be located on the footprint of the existing building, with the remainder very much adjacent to it, and, although likely to occupy a slightly more elevated position within the plot, it is not felt that this would result in any disbenefit in terms of its impact upon the character and appearance of the surrounding landscape given the favourable height comparison between the two. Indeed, although larger in footprint and volume than the present 'Woolaway' bungalow, it is considered that both the size increase and the size of the replacement dwelling itself, with the accommodation again consisting 'only' of a two bedroom unit, would be relatively modest, particularly in the context of the size of the plot itself.

Moreover, factoring in the log cabin style of building with a natural slate roof and the perception that this would result in a more visually sympathetic form and appearance of dwelling on the site than the existing, which is itself not thought to exhibit any architectural importance or local distinctiveness or provide a particularly positive contribution towards the broader landscape character of the area, it is considered that the wider planning balance weighs strongly in favour of this element of the scheme.

The key area of concern to officers and the now former ward member throughout the course of the application has centred upon the overall scale of the proposed replacement outbuilding and the extent to which this has achieved an appropriate level of subservience in relation to the replacement main dwelling.

In seeking to address these, its size has been reduced twice and, while still remaining larger, is now much more closely comparable in scale, bulk and massing to the existing timber outbuilding that it would replace. The omission of the living accommodation within the roof of the larger building originally proposed, as well as the ground floor stores, with the retention of ancillary garage and storage space only, is also considered to overcome the initial policy principle issues relating to the provision of an additional new residential unit in a countryside location.

Taken together with the enhanced design and appearance of the building - not least owing to the use of natural stone and slate wall and roof finishes -relative to the rather tired appearance of the present garage/workshop, alongside outward evidence of its questionable structural integrity, it is considered that objection to the latest revision to its size and scale would now be difficult to justify. Furthermore, its ancillary function in relation to the occupation of the main dwelling can be more comfortably secured by condition in the light of the revisions made to its scale and design.

In addition, the building would continue to occupy a position within the lower northern portion of the site where an ancillary outbuilding of an appropriate scale and size would itself exhibit a degree of natural subservience in relation to any main dwelling on the more elevated part to the south.

It is also acknowledged that the proposals would collectively represent an opportunity to improve the site as a whole, especially given its overgrown condition prior to the applicant's purchase of the property around a year ago.

However, it is considered that the replenishment of the roadside hedge and trees that have been lost should also be sought in conjunction with any grant of permission in this case. Although the submitted site layout plan details indicate an intention to carry out new tree planting along part of the length of the western boundary of the site between the two replacement buildings, no such proposals appear to be forthcoming in relation to the road boundary aside from the 'existing hedging to be retained'. It is considered therefore that additional landscaping of this boundary would be required, in addition to detail as to the size, species, number, etc. of trees shown to be planted on the western boundary. A bespoke landscaping condition is therefore recommended.

RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(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 permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. No development above foundation level shall take place until a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be 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 in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)
4. No development above foundation level shall take place until a scheme of hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the planting of trees, hedges, shrubs, herbaceous plants and areas to be grassed and hard surfaced. It shall specifically incorporate proposals for tree and hedge planting along the site boundary with the adjacent highway and details as to the surface treatment of hardstandings for parking and turning areas shown on the approved site plan (drawing no. SB-010 B). The scheme shall also give details of any proposed walls, fences and other boundary treatment. The landscaping scheme shall be carried out in the first planting season after commencement of the development, unless any alternative phasing of the landscaping is agreed in writing by the Local Planning Authority, and the landscaping 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 in accordance with Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)

5. The replacement garage with storage space hereby permitted shall be used only in conjunction with, and ancillary to, the use of the principal dwelling within the application site as a single dwelling house and shall not be used as a separate dwelling or for any commercial, industrial or business purpose.

(Reason - The building is in an unsustainable location where a separate unit of accommodation would not be adequately served by a range of services and facilities and a commercial use could cause undue noise to nearby occupiers and the character and appearance of the area in accordance with the requirements of Policy D1 - Design and Local Distinctiveness and Strategy 3 - Sustainable Development of the Adopted East Devon Local Plan 2013-2031.)

6. Notwithstanding the submitted details, no development above foundation level shall take place until details of the means of disposal of foul drainage from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details before the replacement dwelling is occupied.

(Reason - In the interests of avoiding pollution of the environment in accordance with the requirements of Policy EN14 - Control of Pollution of the Adopted East Devon Local Plan 2013-2031.)

7. Before any development commences details of final finished floor levels and finished ground levels in relation to a fixed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(Reason - A pre-commencement condition is required to ensure that adequate details of levels are available and considered at an early stage in the interest of the character and appearance of the locality in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

8. Within three months of first occupation of the replacement dwelling hereby permitted, the existing dwelling within the application site shall be demolished, all materials permanently removed from the site and the land reinstated so as to form part of the curtilage of the replacement dwelling.

(Reason - Permission is only granted for the development hereby permitted on the basis that it is a replacement for the existing dwelling on the site, on account of its location within the open countryside where additional new build residential development is strictly controlled, and therefore to ensure that only one dwelling remains within the site in perpetuity in accordance with Strategy 7 (Development in the Countryside) of the adopted East Devon Local Plan 2013-2031.)

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

SB-005	Proposed Floor Plans	07.01.21
SB-006	Proposed Elevation	07.01.21
SB-002 B	Location Plan	19.04.21
SB-010 D	Proposed Site Plan	19.04.21
SB-007 F	Proposed Floor Plans	19.04.21
SB-008 F	Proposed Elevation	19.04.21
SB-009 E	Sections	19.04.21

List of Background Papers

Application file, consultations and policy documents referred to in the report.