

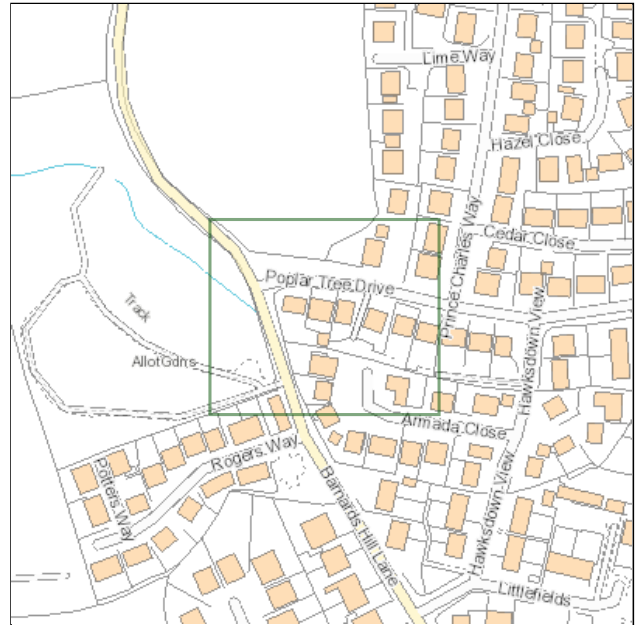
Ward Seaton

Reference 23/0890/FUL

Applicant Mr Daniel Ledger □ Mrs Abigail Down

Location 29 Poplar Tree Drive Seaton Devon EX12 2TW

Proposal Raising of roof, conversion of roof space to habitable space including front and rear dormers and balcony.



RECOMMENDATION: Refusal

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		Committee Date: 18.07.2023
Seaton (Seaton)	23/0890/FUL	Target Date: 16.06.2023
Applicant:	Mr Daniel Ledger & Ms Abigail Down	
Location:	29 Poplar Tree Drive Seaton EX12 2TW	
Proposal:	Raising of roof, conversion of roof space to habitable space including front and rear dormers and balcony	

RECOMMENDATION: Refuse

EXECUTIVE SUMMARY

This application is to be determined at Planning Committee as one of the applicants is an elected member of the District Council.

The scope and details of the proposals have been amended during the course of the application's assessment.

Full planning permission is sought for the enlargement of an existing bungalow by the raising of its roof ridge and pitch, incorporating an enlarged forward return gable with raised eaves, and two flat roofed dormer windows (front and rear), together with the installation of a solar panel array above the rear south-facing dormer structure. A projecting balcony is proposed at the western end of the rear façade, to be accessed from a new bedroom by glazed sliding doors, and a juliet balcony is shown at the eastern end of the rear elevation to prevent access through similar full height glazing from the second of three new upper floor bedrooms. The enlarged forward gable return is designed to provide an open canopy above the existing front entrance to the dwelling. The scheme does not include any increase in the ground floor footprint of the existing building, but would add just under 70 sqm as new upper floor area to the dwelling.

A new vehicular access from Poplar Tree Drive and works to create a level parking space for two cars in the sloping front garden, shown on the initially submitted application, have now been omitted.

An obscured glass screen has been added at the western end of the proposed balcony.

The form, scale, design and position of the proposed extensions to the bungalow are considered not to be acceptable as alterations to the existing host dwelling, nor to fit comfortably with the development pattern and appearance of

surrounding development. Although micro-generation apparatus would normally be welcomed within a scheme, the proposed array of solar panels, to be placed conspicuously on the roof of the rear dormer, would worsen the poor impact of the development on the street scene.

It is considered that the proposed development could be required, by condition, to include a second screen on the eastern side of the proposed balcony, which would prevent an otherwise unacceptable degree of additional overlooking of neighbouring residential property from the site.

However, as the proposal as a whole includes development that is considered not to be acceptable in terms of adopted Local Plan policy, refusal of the application is recommended.

CONSULTATIONS

Parish/Town Council

16.05.2023 Seaton Town Council have no objections to this application.

05.06.2023 Seaton Town Council have no objections to the amendments submitted for this application.

Ward Members

No comment received

Devon County Highways

No comment received

Other Representations

17.05.2023 Neighbour (to east)

We support this planning application in principle. We have been unable to find details of materials/drainage solutions to be used for the proposed vehicle access.

As our property lies below number 29, we have concerns about surface water issues in the local vicinity similar to those mentioned in the officer's report/comments in application 18/1510/FUL.

If the proposed vehicle access is to be greater than 5 metres squared/driveway legislation limits we would appreciate it if details of materials/drainage solutions could be submitted so that drainage can be assessed as part of the wider application.

PLANNING HISTORY

81/P0459 Construction of 28 bungalows and chalet bungalows Approved
28.04.1981.

On adjacent property – 31 Poplar Tree Drive

20/2104/FUL Construction of two storey side extension, two storey front extension and rear gable dormer window including balcony. Insertion of first floor side window and provision of cladding. Approved 10.05.2021

POLICIES

National Planning Policy Framework National Planning Policy Guidance

Adopted East Devon Local Plan (2013 – 2031)

Strategy 3: Sustainable Development

Strategy 5: Environment

Strategy 6: Development within built-up area boundaries

Strategy 38: Sustainable design and construction

Strategy 39: Renewable and low carbon energy projects

Strategy 47: Nature conservation and geology

Strategy 48: Local distinctiveness in the built environment

Policy D1: Design and local distinctiveness

Policy EN5: Wildlife habitats and features

Policy EN22: Surface run-off implications of new development

Policy TC9: Parking provision in new development

SITE LOCATION AND DESCRIPTION

29 Poplar Tree Drive is a detached early 1980's bungalow on the south side of this unclassified residential road, just to the east of its junction with Barnards Hill Lane, and to the north of later 1980's single and two storey housing in Armada Close. The eastern neighbour to the site (no. 27) is a bungalow, and to the west is a chalet bungalow (no. 31), of steeper roof pitch and correspondingly higher ridge line, for which permission has been granted for ground floor and roof space extensions, to the front, the rear and the side closest to no. 29, together with the construction of a rear first floor balcony near to the eastern end of its altered rear elevation. The application site slopes down to the south east, such that as with its neighbouring dwellings the ground floor level of the building is set below that of the footway and road, and of the dwelling and garden to its north and east, but is set above the level of residences to its south and east. Bungalow and chalet bungalow slab levels are staggered downhill all along the curving length of Poplar Tree Drive from its western beginning at Barnards Hill Lane to its eastern terminus with Harepath Road.

Full planning permission is sought for the enlargement of the existing bungalow by raising its roof ridge by 1.35m, with a consequent increase in the pitch of its main roof planes. Also proposed are an enlarged forward return gable with raised eaves, and two flat roofed dormer windows (front and rear), together with the installation of a solar panel array above the rear south-facing dormer structure. A projecting balcony is proposed at the western end of the rear façade, to be accessed from a new bedroom by glazed sliding doors, and a juliet balcony is shown at the eastern

end of the rear elevation to prevent access through similar full height glazing from the second of three new upper floor bedrooms. The enlarged northern (forward) gable return is designed to provide an open-sided canopy above the existing front entrance to the dwelling. The scheme does not include any increase in the ground floor footprint of the existing building, but would add just under 70 sqm as upper floor area to the dwelling.

Responses are awaited at the time of the preparation of this report to a second round of consultations made following the amendment of the initially submitted scheme. The amendments comprised the addition of a 1.8m high obscured glazed privacy screen at the western end of the proposed rear balcony, and the omission of proposals for a new vehicular access and parking spaces at the front of the property. An update on any comments received will be put before the committee.

ASSESSMENT

Principle of development.

Strategy 6 of the East Devon Local Plan states that

“within the boundaries development will be permitted if:

1. It would be compatible with the character of the site and its surroundings”

Policy D1 of the Local Plan expects applications to demonstrate that

“new development, including the refurbishment of existing buildings to include renewable energy, is of a high quality design and locally distinctive”.

The Policy states (among other text)

“Proposals will only be permitted where they:

1. Respect the key characteristics and special qualities of the area in which the development is proposed.

2. Ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context.

3. Do not adversely affect:

a) the distinctive historic or architectural character of the area.

b) the urban form, in terms of significant street patterns, groups of buildings and open spaces.

e) the amenity of occupiers of adjoining residential properties.

4. Have due regard for important aspects of detail and quality and should incorporate:

c) use of appropriate building materials and techniques respecting local tradition and vernacular styles, as well as, where possible, contributing to low embodied energy and CO₂ reduction.”

The site lies within the Built-up Area boundary of Seaton, and is surrounded by residential development. There is no objection in principle to development of this single dwelling, as no additional units are proposed that would result in a change to the grain or density of the residential land use in this part of Seaton.

Design

Generally, the roof scape in the western part of Poplar Tree Drive close to the application site is characterised by simple roof planes, with either eaves or gable ends parallel to the road. Although some homes close to the site have flat roofed dormer windows, these are evident on dwellings with a higher ridge and steeper roof pitch than that of the application building, and on Poplar Tree Drive are confined almost exclusively to the rear elevations of the buildings, being proportioned to show a significant area of roof plane all around the dormer structures. These rear elevations are also visible in places from the south (from Barnards Hill Lane and from Armada Way), but clearly here the context is of secondary, not principal, façades, viewed mainly above intervening private garden areas.

In contrast, the proposed development would introduce a substantial flat roofed dormer structure on the principal elevation of the dwelling (directly facing Poplar Tree Drive), which, in combination with the proposed enlarged and asymmetrical forward gable would disrupt the relatively uncluttered appearance of the street scene.

The proposed flat-roofed extension on the upper rear elevation of the building would cover most of the plane, leaving less than a metre of roof slope between its top surface and the ridge, with none at all to the sides or below the dormer. Because of the scale of the enlargement of the building, this new extension would be highly visible in north / north-eastward views from Barnards Hill Lane and north-westward views from Armada Way. Its over-large design, compounded by full height glazed fenestration, and a projecting balcony, would dominate its context and would jar with the more modest, standard dormer window arrangements of other properties with which it would be read.

It is acknowledged that the proposed installation of a solar panel array on the property would contribute towards the desired movement away from fossil fuel-based energy production on an individually small but cumulatively important basis, in line with Local Plan Strategies 3, 38 and 39, and Policy D1. However, the proposed position of the panels, standing proud of the flat roof of the rear dormer structure, would be visually prominent and at odds with the pattern of installation of similar panels, flush with their host roof slopes, on nearby properties, and would draw further attention to the incongruous design of the rear box dormer. As the scheme shows only a very short inclined roof plane between the top of the proposed dormer flat roof and the new (raised) ridge of the building, there is no opportunity to amend the proposal, by re-positioning the solar panels in a less conspicuous arrangement.

The form, scale, design and position of the proposed extensions are considered not to complement the existing host bungalow nor to fit comfortably with the appearance of surrounding development. The conversion of the building into a chalet bungalow per se would not be alien to the type of development in the vicinity, and there is no objection in principle to the increase in roof ridge and pitch proposed, as the resultant form would follow that of other buildings nearby, and would still be appreciably below the height of the property on its western, uphill flank, so maintaining the stepped effect of housing along Poplar Tree Drive. However, the development proposed would not follow the dormer window proportions and style typical of existing chalet bungalows in the area, nor the arrangement of solar panel installations. It is considered that the scheme would not be compatible with the character of the site and its surroundings, would not respect or relate well to the

scale, massing and fenestration of contextual built forms and would force the inappropriate positioning of micro-generation apparatus. The proposed development would therefore not accord with the objectives of Strategies 3, 6 and 48, nor with the criteria for granting permission set out in Policy D1 of the adopted Local Plan.

Amenity

From the proposed upper floor level of the dwelling new vantage points would be created for users of the site that would enable additional views towards and over adjoining properties compared to those currently possible. As was required for the approved rear balcony on the neighbouring property (no. 31), to safeguard the privacy of occupiers of the house immediately adjacent, the proposal has been amended to show the installation of an obscured glazed screen on the western side of the proposed balcony. With a further such screen also added to the eastern side of the proposed balcony it is considered that, on balance, no harmful additional overlooking of private amenity areas of nearby residences would be enabled, and therefore the scheme could be amended so that it would not conflict with criteria in Local Plan Policy D1 in this regard.

Conclusion

It is considered that while harmful overlooking of neighbouring residential amenity spaces could be prevented with a requirement to install a second screen on the eastern side of the proposed balcony, overall the proposed development would have an unacceptable impact on the character and appearance of the area. The proposed development is considered to conflict with local and national planning policy and guidance, therefore, and is recommended for refusal.

RECOMMENDATION

REFUSE for the following reasons:

The proposed front flat roofed dormer and enlarged asymmetrical return gable would disrupt the roof scape in this part of Poplar Tree Drive. The proposed rear full width flat roofed dormer, extending from eaves height almost to the new raised ridge height, and accentuated by the projecting balcony, full height fenestration, and conspicuous, awkwardly-positioned solar panel array, would be an over-large and incongruous addition to the host structure, which would not be compatible with the character of the site and its surroundings, and would not respect or relate well to the scale, massing and articulation of contextual built forms. The proposed development would therefore not accord with the objectives of Strategies 3 (Sustainable development), 6 (Development within built-up area boundaries) and 48 (Local distinctiveness in the built environment), nor with the criteria for granting permission set out in Policy D1 (Design and local distinctiveness) of the adopted East Devon Local Plan 2013 – 2031, nor with advice contained in the National Planning Policy Framework.

Plans relating to this application:

Combined plans 389 001 rev C received 22.05.2023

List of Background Papers

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

Statement on Human Rights and Equalities Issues

Human Rights Act

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance

Equalities Act

In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation