

ITEM: 02

Application Number: 08/00744/FUL

Applicant: Mrs Suzanne Wixey

Description of Application: Erection of dwelling, bridge linked to existing cottage whose upper floor will form an annexe to the proposal and lower floor will be stores and workshop (existing outbuildings to be removed)

Type of Application: Full Application

Site Address: DRIFT COTTAGE, BORINGDON ROAD
TURNCHAPEL PLYMOUTH

Ward: Plymstock Radford

Valid Date of Application: 17/04/2008

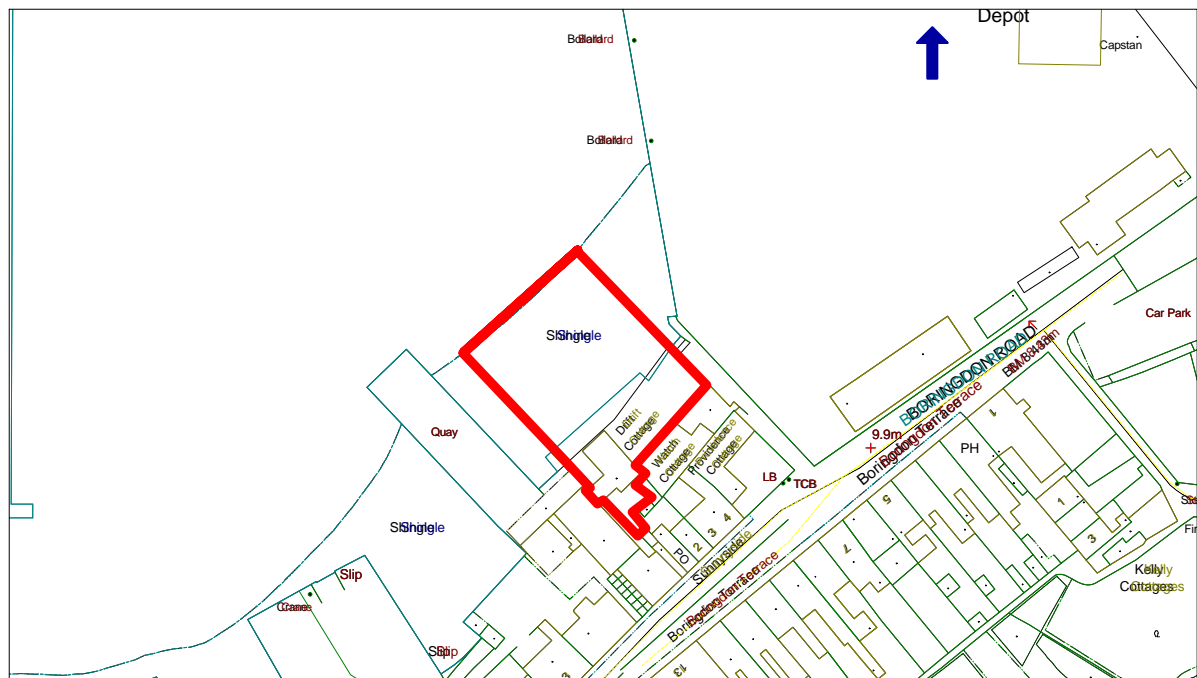
8/13 Week Date: **12/06/2008**

Decision Category: Member/PCC Employee

Case Officer : Karen Gallacher

Recommendation: Defer for consultation period for amended plans

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Since this application was considered at the last planning committee, the applicant has submitted amended plans which reduce the length of the building by 2.9m. These plans were made available at the committee site visit, and the public have been consulted. However, the consultation period has not expired and no changes have been made to this original committee report as a result of these amended plans.

It is intended to report back to the committee in November having taken the amendments and the consultation responses into account.

OFFICERS REPORT

Site Description

Drift Cottage is a modest dwelling in a waterside location within the Turnchapel Conservation Area. It lies within a group of other dwellings lying on the north side of Boringdon Road, the majority of which are set on a north-south orientation and have their rear elevations facing the water (whereas Drift Cottage presents a side elevation to the water). The curtilage of Drift Cottage includes an area of quayside, including two piers constructed for drying boats. Public slipway and pedestrian access to the water are obtained alongside, to the side of Providence Cottage and Watch Cottage. The lane to the side of Watch Cottage that provides access to this site is public highway. Beyond the slipway is MOD land, separated by a substantial wall. Watch Cottage is set approximately 2.5m above the level of the site.

Proposal Description

The proposal is to erect residential accommodation on the existing garden and piers at Drift Cottage and to convert the existing accommodation in Drift Cottage to annex accommodation with a workshop on the ground floor and bedrooms at first floor level. The two areas of accommodation would be connected via a pedestrian link. The proposal also includes a small car parking and amenity area.

The proposed dwelling would comprise 2, linked, metal clad, buildings, each measuring approximately 15m (excluding 1.3m balcony) by 4.7m the balcony would overhang the water. The new building would for the most part sit on the existing two piers and would extend 1.3m further over the water and 6.5m back into the garden. Materials would be stainless steel or zinc with black aluminium windows. The building would be single storey with a varying roof height.

The design for this scheme is significantly different from the annex proposal that has approval.

Relevant Planning History

80/03758 - Boat gear store, boat drying piers and extension to dwelling (Full) - GRANTED.

84/02018 - Amended version of 80/3758 (Full) - GRANTED.

91/00768 - Extension to dwelling (Full) - GRANTED.

04/00729 - Erection of dwellinghouse, bridge linked to existing cottage whose new use will become an annexe to the proposal. (Full) – REFUSED because of impact on neighbour.

04/02271 - Erection of dwellinghouse, bridge linked to existing cottage whose upper floor will form annexe to the proposal and lower floor will be stores and workshop (outbuildings to be removed). (Full) – REFUSED because of impact on neighbour - APPEAL Dismissed.

05/00621 – Erection of dwellinghouse bridge-linked to existing cottage whose upper floor would form annex to the proposal and lower floor will be stores and workshop – GRANTED.

07/01282 – Erection of new dwelling – WITHDRAWN.

Consultation Responses

Environment Agency – No objection providing the existing house is annex accommodation.

Highway Authority – No objection .

Queen’s Harbour Master – no objection.

Environmental Services – no objection subject to conditions regarding land contamination and code of practice during construction.

Plymouth Design Panel

The Panel felt that it was not appropriate to assess the constraints of the site in respect of the height in relation to the views from the adjacent cottage but determined that it would limit its comments to the design, materials and composition of the proposal.

The panel expressed general support for the ambition of the project to create a unique dwelling conceived as a marine object, with an ‘engineered’ aesthetic, evocative of something either brought ashore or on the verge of being launched and felt that this was a suitable location for such a project. There was not a consensus on the panel as to whether the proposal had attained this ambition or the integrity of the design concept had been successfully maintained within the limitations of the site constraints.

It was, however, the panel’s view that the quality of the materials and detailing were crucial to the success of the project. The panel felt zinc was an appropriate cladding material and thought that the finer grid of jointing in the planning application scheme was preferable over the setting out of the withdrawn scheme. There was a general view that the detailing should convey a quality of engineering; simultaneously robust and refined throughout.

As part of the concept to suggest that the building might be mobile it was noted that the secondary connecting elements should be lightweight. The choice of glass balustrade over a more marine/industrial aesthetic was questioned.

The detail of the condition between the underside or 'hull' of the building on the piers and in the way in which it meets the groups was thought to be important.

Although the panel did not express an opinion about the height with respect to views it was felt that the height in relation to the eaves line of the existing Drift Cottage was a relevant concern and which was addressed in the live application scheme.

Representations

25 letters of representation have been received objecting to this application. The main concerns relate to the massing, design and materials of the dwelling and its impact on the conservation area and the wider waterside setting, its impact on neighbours light, privacy and outlook, the loss of public access to the landing strip and pier, precedent, poor vehicular access, additional traffic, inadequate parking, fire hazard/emergency access, flooding, beyond building line, and concern about other developments that have been refused in the area.

There have also been 2 letters of support and one making comment. The points raised include support for the design and that the development would have little impact on the village.

Analysis

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.

The main considerations are design and the impact on the conservation area, highway implications, the impact on neighbouring property, the standard of accommodation to be provided and the flood risk. The extant planning permission for accommodation in association with Drift Cottage is a material consideration.

Design

The design of the building, its impact on the conservation area and the wider waterside area are of great significance in what is a prominent location. The design is modern and different to all surrounding development. Most letters of representation do not support the design for various reasons. The Design Panel did not reach a consensus of opinion on the issue of design. In coming to a view it is necessary to consider the policy background in respect of design and to consider previous decisions for the site.

Planning Policy Statement 1 includes guidance in respect of design and advises that design that is inappropriate in its context should not be accepted. It advises that "Local Planning Authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however proper to seek to promote or reinforce local distinctiveness ..."

PPG15 relates to the historic environment, including Conservation Areas. The prime consideration in identifying a Conservation Area is the quality and interest of an area, rather than that of individual buildings and sets out the need to preserve or enhance their character and appearance. Paragraph 4.17 of this guidance states:

"Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and should be seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own."

At the local level the relevant policies are CS02 (Design), CS03 (Historic Environment) and CS20 (Sustainable Resource Use) of the local development framework. CS02 aims to promote the image of the city, protect important public views and contribute to an area's identity and heritage. CS03 seeks to safeguard and enhance the character and setting of the historic environment. CS20 seeks to ensure that development responds appropriately to the character of the coast.

Although the Conservation Area at this point is characterised by traditionally designed buildings rising from the water's edge, the majority of these buildings have suffered from alterations and additions at the rear, north, side which, it is considered, have created significant visual disharmony and variation along the waterfront. The introduction of a contemporary building on this site would not, necessarily harm the character and appearance of Turnchapel Conservation Area and this view was shared by the Design panel. In addition, 2 earlier schemes have been supported in terms of design. These were the approved scheme in 2005, and the scheme under reference 07/01282, which was withdrawn. The issue of whether this particular design is acceptable has to be considered. The design panel supported the use of the zinc paneling, had concerns about other materials, but did not reach a consensus regarding the overall design of the scheme and its acceptability in this location. On balance and in consultation with the conservation officer, it is considered that the latest proposal has lost the integrity of design that the 07/01282 version had and, importantly in the Conservation Area, it has grown in size and mass to the detriment of its relationship with Drift Cottage. The design and access statement for this and the previous 07/01282 scheme, states that the form metaphorically represents nautical buoys, implying floatation; with an underside reminiscent of a hull and stern of a boat. Whilst this was considered

to be the case for the previous scheme, this amended version moves further from that representation because of its additional length and asymmetry. The previous scheme stood far enough away from the existing cottages to be viewed as a separate entity, and its overall shape was apparent. This scheme would present such a long side elevation that it is considered to have lost its nautical design reference. Its relationship with its neighbours and the waterside location have been weakened by the changes and is not considered to preserve or enhance the conservation area or respect its context. The proposal is therefore considered to conflict with the aims of PPS1 and PPG15 and policies CS02, CS03, and CS20 referred to above.

Impact on neighbours

The relationship with neighbouring property is difficult. The property most affected would be Watch Cottage. Watch Cottage is behind the site and approx 2.5m higher than the site. Watch Cottage has its main windows facing the site and because it is angled towards the site its outlook is dependent on what is constructed on the application site. The proposed scheme is higher, narrower than the approved scheme. It is also a completely different shape.

The applicant has claimed that the previously approved scheme was intended to be built on a platform that was shown to vary in height between 600mm and 1000mm and that the height of the building at a central point was annotated as 400mm higher than it was shown on the scaled drawing. Legal Services has, however, advised that the building cannot be built to the height argued by the applicant.

Probably the most significant dimension in considering the impact on Watch Cottage is the height. The approved scheme showed the height level with the cill of the main habitable room of Watch Cottage. Because it was shown at this level the additional width and length of the building was not considered to dominate the outlook from Watch Cottage. Because this proposal takes part of the roof higher than the cill, the fact that it is only approximately 5m away from this window, together with its overall massing, causes harm to the outlook from Watch Cottage. It is also of concern that the proposed material would be reflective, which would increase the dominance of the structure when seen from Watch Cottage. Watch Cottage has a very limited aspect, and this proposal would dominate its main outlook.

It is not considered that this scheme would result in a significant loss of privacy, outlook or light to other neighbouring property. There would need to be some form of access from the parking area to Drift Cottage, but this could easily be conditioned/amended if the scheme were supportable.

For the above reasons the proposal is considered to be contrary to policy CS34 in terms of loss of amenity to Watch Cottage.

Protection of Wildlife and the Marine Environment

Since the approval of the 2005 scheme, the Local Development Framework Core Strategy has been adopted, which raises significant new issues relating to the marine environment.

Policy CS19 of the Core Strategy states that "The Council will promote effective stewardship of the city's wildlife" and includes the need to safeguard national and international protected sites for nature conservation from inappropriate development, ensuring that development retains, protects and enhances features of biological interest with any unavoidable impacts being appropriately mitigated for. The proposed development will involve building out over the intertidal foreshore area which consists of a combination of Intertidal mudflats and estuarine rocky habitat. Both of these two habitats are now listed as national Biodiversity Action Plan Priority Habitats. It is clear that the development will have a detrimental impact on these habitats through shading. It is policy for there to be a net gain for biodiversity from any development.

In addition these habitats have recently been designated as habitats of principle importance as determined by the Natural Environment and Rural Communities (NERC) Act. The list of habitats and species of principle importance was issued on the 22nd May 2008 to satisfy the requirement of Section 41 of the NERC act.

The application as submitted does not provide an assessment of the potential impact of the proposed development or any measures for mitigating or compensating for this impact. The development does not therefore comply with CS19 and should be refused.

Highways

The previous scheme for an additional dwelling on the site gave rise to an objection from the Highway Authority because the existing access, which is highway maintainable at public expense, was inadequate for an additional property, as was the turning arrangement. This application is for a replacement dwelling, which converts the existing house to ancillary accommodation. As such there would be no additional traffic to the site and therefore no objection to this scheme.

There have been a number of letters of objection, which raise concerns about the use of the lane that runs alongside Watch Cottage; however, for the reasons given above there is no objection to the proposal on these grounds. For these reasons the proposal is considered to comply with policy CS28 of the core strategy.

Flooding

The Environment Agency (EA) has considered the information submitted by the applicants in respect of flooding and foul drainage. There is no objection on these grounds providing the 2 units are not occupied as separate dwellings and access between the 2 is permanently retained. This is because the new development will be safer than the current situation, where the ground floor of the accommodation floods and is a danger. Within flood risk areas development will only be permitted on previously developed land. Clearly the piers have been previously developed, and therefore the proposal is not considered to seriously conflict with the aims of this policy. The proposal is

therefore considered to comply with policy CS21 and PPS25 in terms of the risk of flooding.

Standard of accommodation

The accommodation provided by the new development is acceptable. The level of amenity area is significantly reduced, but would meet with local standards in the village. There is no conflict with policy CS15 in respect of the development.

Section 106 Obligations

None.

Conclusions

It is considered that the proposal would have an unacceptable impact on Watch Cottage, would be unacceptable in design terms and result in harm to the marine environment.

Recommendation

In respect of the application dated **17/04/2008** and the submitted drawings, **DC908 -02 -02 -02 -05 -01 -06 -07 -08 reduction in length of building and details of anexe accommodation**, it is recommended to: Defer for consultation period for amended plans